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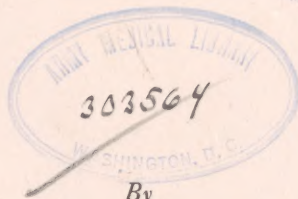
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State Legislation Concerning the Eye

For the Surgeon General
from
Frank Allport



By

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Preface

THE contents of this book appeared originally in seven articles in the quarterly publication called "Ophthalmology". The intention was to collect all important state legislation concerning the eye, and I am confident this has been accomplished with considerable thoroughness. Doubtless some laws have been omitted, but I believe that almost all of them have been collected and will be found in this volume. Unless one has tried to accumulate a vast amount of accurate information, such as has been done in writing this book, the difficulties of such a task cannot be estimated. Over 10,000 circular letters, personal letters, etc., have been sent from my office to gather material for this book—to say nothing of the hours and hours spent in law libraries. Notwithstanding this, however, inaccuracies and omissions have occurred, and I am aware of the fact that this is not a perfect book. At the request of the American Medical Association, I have prepared the manuscript for publication in book form, and hope it will prove a useful addition to Ophthalmological literature.

Some legislatures have met and passed eye laws since the original articles appeared in "Ophthalmology". I have, therefore, revised and corrected the articles and believe that they are now, at least, reasonably up-to-date.

I trust that the readers will pardon all inaccuracies in this compilation.

FRANK ALLPORT, M. D., L. L. D.

7 West Madison Street
1917.

STATE LEGISLATION CONCERNING THE EXAMINATION OF SCHOOL CHILDREN'S EYES, EARS, NOSES AND THROATS.

FRANK ALLPORT, M. D.,

CHICAGO, ILL.

It has been part of the duty of the Conservation of Vision Committee of the American Medical Association to collect data concerning legislative enactments, having in view the preservation of eyesight. Such enactments up to the present time are four in number, and concern:

1st. The eye, ear, nose and throat examinations of school children.

2nd. The prevention of Ophthalmia Neonatorum, and its cure after its occurrence.

3rd. The prevention and cure of trachoma and

4th. The control of optometric legislation.

In this article I will consider the first of these measures, viz., legislation concerning the eye, ear, nose and throat examinations of school children, and will endeavor later to consider the three remaining subjects. Seventeen States have laws on this subject. They are as follows: Connecticut, Massachusetts, Colorado, Maine, Pennsylvania, Indiana, Utah, Vermont, North Dakota, West Virginia, New Hampshire, New Jersey, New York, Maryland, Wyoming, Delaware, Rhode Island. I desire first to state that the first law enacted upon this subject was passed by the State of Connecticut in 1899. It referred merely to the examination of school children's *eyes*, and said nothing about ears, noses or throats. It was the entering wedge of legislation requiring physical examinations of *any kind* for school children, and was therefore the beginning of required physical tests in this country. I mention this because the eye surgeons of the United States should be given full credit for inaugurating this much needed reform. The next State to pass a similar, but broader, law was Massachusetts in 1906, and this law took into consideration not only sight, but hearing as well, and when Colorado in 1909 passed a law it included broadly eyes, ears, noses and throats, and most subsequent laws have since followed the example of Colorado in this respect. I think it is well, in order that all may understand just what has been accomplished in such legislation up to the present time, to publish all the laws that can be found, in the various States, where eye, ear, nose and throat examinations of school children are re-

quired. This will give an opportunity of studying each law, and of comparing them, and of determining the wisest and best laws to be passed in the future. It will also enable those who are interested to know whether the laws are being observed, and to take measures to force their observance in negligent States. The laws then are as follows:

CONNECTICUT.

Law passed in 1899.

Section 1. The state Board of Education shall prepare or cause to be prepared suitable test cards and blanks to be used in testing the eyesight of the pupils in public schools, and shall furnish the same, with all necessary instruction for their use, free of expense to every school in the State.

Section 2. The superintendent, principal, or teacher in every school, some time during the fall term in each year, shall test the eyesight of all pupils under his charge, according to the instructions furnished as above provided, and shall notify in writing the parent or guardian of every pupil who shall be found to have any defect of vision or disease of the eyes, with a brief statement of such defect or disease, and shall make written reports of all such cases to the State Board of Education.

MASSACHUSETTS.

Law passed in 1906.

Section 4. The school committee shall cause notice of the disease or defects, if any, from which any child is found to be suffering to be sent to his parent or guardian. Whenever a child shows symptoms of smallpox, scarlet fever, measles, chickenpox, tuberculosis, diphtheria or influenza, *tonsilitis*, whooping cough, mumps, scabies or *trachoma*, he shall be sent home immediately, or as soon as safe and proper conveyance can be found, and the Board of Health shall at once be notified.

Section 5. The School Committee of every city and town shall cause every child in the public schools to be separately and carefully tested and examined at least once in every school year to ascertain whether he is suffering from defective sight or hearing or from any other disability or defect tending to prevent his receiving the full benefit of his school work, or requiring a modification of the school work in order to prevent injury to the child or to secure the best educational results. The tests of sight and hearing shall be made by teachers. The committee shall cause notice of any defect or disability requiring treatment to be sent to the parent or guardian of the child, and shall require a physical

record of each child to be kept in such form as the State Board of Education shall prescribe.

Section 6. The State Board of Health shall prescribe the directions for tests of sight and hearing, and the State Board of Education shall, after consultation with the State Board of Health, prescribe and furnish to school committees suitable rules of instruction, test cards, blanks, record books and other useful appliances for carrying out the purposes of this act, and shall provide for pupils in the normal schools instruction and practice in the best methods of testing the sight and hearing of children. The State Board of Education may expend during the year 1906 a sum not greater than \$1,500, and annually thereafter a sum not greater than \$500, for the purpose of supplying the material required by this act.

Section 7. The expense which a city or town may incur by virtue of the authority herein vested in the School Committee or Board of Health, as the case may be, shall not exceed the amount appropriated for that purpose in cities by the City Council and in towns by a town meeting. The appropriation shall precede any expenditure or any indebtedness which may be incurred under this act, and the sum appropriated shall be deemed a sufficient appropriation in the municipality where it is made. Such appropriation need not specify to what section of the act it shall apply, and may be voted as a total appropriation to be applied in carrying out the purposes of the act.

Section 8. This act shall take effect in the first day of September, in the year nineteen hundred and six.

Approved June 20, 1906.

COLORADO.

Law passed in 1909.

Section 1. The State Superintendent of Public Instruction shall prepare or cause to be prepared suitable test cards, blanks, record books, and other needful appliances and supplies to be used in testing the sight, hearing and breathing of pupils in the public schools, and the necessary instructions for their use; and shall furnish the same free of expense to every public school in the State. The teacher or principal in every public school, or where there is no principal, the county superintendent, shall, during the first month of each school year, test the sight, hearing and breathing of all pupils under his charge, *such examination to be made by observation without using drugs or instruments, and without coming in contact with said child*; and keep a record of such

examinations according to the instructions furnished and make a written report of such examinations to the State Superintendent of Public Instruction as he may require.

Section 2. Every teacher in the public schools shall report the mental, moral and physical defectiveness of any child under his supervision, as soon as such defectiveness is apparent, to the principal or, where there is no principal, to the county superintendent. Such principal or county superintendent shall promptly notify the parents or guardian of each child found to be defective of the child's defectiveness, and shall recommend to such parents or guardian that such child be thoroughly examined as soon as possible by a competent physician or surgeon with special reference to the eyes, ears, nose, throat, teeth and spine.

If the parents or guardian of such child shall fail, neglect or refuse to have such examination made and treatment begun within a reasonable time after such notice has been given, the said principal or superintendent shall notify the State Bureau of Child and Animal Protection of the facts; *providing, however, that whenever it shall be made to appear to the said principal or superintendent, upon the written statement of the parent or guardian of said child, that such parent or guardian has not the necessary funds wherewith to pay the expenses of such examination and treatment, the said principal or superintendent shall cause such examination and treatment to be made by the county physician of the district wherein said child resides; and it shall be the duty of such county physician to make such examination and treatment, and if he be unable to properly treat such child he shall forthwith report such fact to the county commissioners of the county with his recommendation.*

Section 3. The State Auditor is hereby directed to draw his order for such sums and at such times as the State Superintendent of Public Instruction may require to carry out the provisions of this act. The total expenses under this act shall not exceed one thousand (\$1,000.00) dollars in any biennial period ending November 30th.

MAINE.

Law passed in 1909.

Sec. 5. The School Committee shall cause notice of disease or defects, if any, from which any child is found to be suffering to be sent home to his parents or guardian. Whenever a child shows symptoms of smallpox, scarlet fever, measles, chicken pox, tuberculosis, diphtheria or influenza, *tonsilitis*, whooping cough, mumps,

scabies or *trachoma*, he shall be sent home immediately, or as soon as safe and proper conveyance can be found, and the Board of Health and Superintendent of Schools shall at once be notified.

Sec. 6. The School Committee of every town shall cause every child in the public schools to be separately and carefully tested and examined at least once in every school year to ascertain whether he is suffering from defective sight or hearing or from any other disability or defect tending to prevent his receiving the full benefit of his school work, or requiring a modification of the school work in order to prevent injury to the child or to secure the best educational results. Tests of sight and hearing shall be made by the teachers or by the school physicians. The committee shall cause notice of any defect or disability requiring treatment to be sent to the parent or guardian of the child, and shall require a physical record of each child, to be kept in such form as the State Superintendent of Public Schools shall prescribe after consultation with the State Board of Health.

Section 7. The State Superintendent of Public Schools shall prescribe after consultation with the State Board of Health the directions for tests of sight and hearing, and shall prescribe and furnish to the school committees suitable rules of instruction, test cards, blanks, record books and other useful appliances for carrying out the purposes of this act. The State Superintendent of Public Schools may expend during the year nineteen hundred and nine a sum not greater than five hundred dollars for the purpose of supplying the material required for this act.

PENNSYLVANIA.

Law passed in 1911.

Section 1505. The medical inspectors shall, at least once each year, inspect and carefully test and examine all pupils in the public schools of their districts, giving special attention to defective sight, hearing, or other disabilities and defects specified by the Commissioner of Health in his directions for the medical examinations of schools. Each medical inspector shall make to the teacher, or, if the Board of School Directors so directs, to the principal or district superintendents of schools, a written report concerning all pupils found to need medical or surgical attention; and giving careful directions concerning the care of each pupil who needs special care while in school. The teacher, or the principal, or district superintendent, shall keep such report until the end of the school year, shall carry out as carefully as possible said directions concerning the special care of pupils while in school, and shall

promptly send a copy of the medical inspector's report upon each child to the parents or guardian thereof.

INDIANA.

Issued jointly by the Indiana State Board of Education and the Indiana State Board of Health, as provided in Section 5 of the Medical School Inspection Law, approved March 6, 1911.

Rules for Teachers.

The teachers in all the public and parochial schools of the State of Indiana shall test the sight and hearing of all school children under their charge, once in each school year, and at such other times as may be necessary. The sight test shall be made by the use of Snellen's Test Type Chart and the hearing test shall be by the watch test or the whisper test, preferably the whisper test. An individual record shall be kept of said test and whenever a defect of vision or hearing is noted the case *shall be referred to the school physician*. Teachers and school officials shall rigorously exclude from school all children specified in any notice of exclusion issued either by the school physician or by the local health officer until such children shall present a certificate of admission from the school physician or by the health officer.

Rules for Testing Eyesight.

Rule 1. The annual test for eyesight and hearing shall be made as early in the school year as possible, preferably in September. Individual pupils may be tested at any time that a test is considered necessary.

Rule 2. All tests shall be made as nearly as possible under the same conditions and shall be supervised by the principal or superintendent, in order to see that the conditions of the test are uniform as far as possible for the different classes.

Rule 3. Do not expose the test type chart except when in use, as familiarity with the chart leads children to learn the letters "by heart." Children should be examined singly.

Rule 4. Test each eye separately. Have the pupil begin at the top of the test card and read down as far as he can, first with one eye and then with the other. Hold a card over one eye while the other is being examined, but do not press on the covered eye, as pressure may produce an incorrect examination.

Rule 5. Place the test chart on the wall in a good light at about the level of the pupil's head and at a measured distance of 20 feet from the pupil. The chart should have a good side illumination and not hang in range of a window, which will dazzle the eyes.

Rule 6. Children wearing glasses shall be tested with the glasses

properly adjusted, and if sight is found normal with the glasses it shall be recorded as normal.

Rule 7. Record as defective only those whose vision is 10/20 or less in either eye.

Rule 8. Where the child cannot name the individual letters, although able to read, the chart figures may be used. If the child does not know figures or letters, use the chart of inverted E's, asking the child to tell by the movement of the hand the side on which there is an opening on the E's; i. e., up, down, right or left.

Rule 9. The lines on the chart are numbered to indicate the distance the respective letters should be read by the normal eye. The record is made by a fraction, of which the numerator represents the distance of the chart from the child and the denominator the lowest line he can correctly read. Thus, if at 20 feet the pupil reads the line marked 20 feet, the vision is 20/20 or normal. If he only reads correctly the line above marked 30 feet, his vision is 20/30 or two-thirds normal. If at a distance of 20 feet the pupil can only read correctly the line marked 40 feet, the vision is 20/40 or 10/20, which must be recorded as defective.

If a pupil cannot read the largest letters he must go slowly toward the chart until he can. The distance he is from the chart when he can read the largest letters will be the numerator and 200 the denominator.

Rule 10. Report to the State Board of Health the total number of children examined and the number found defective in eyesight and hearing by test.

Method of Testing Hearing.

The person conducting the test should be possessed of normal hearing. The examination should be conducted in a room not less than 25 feet long and situated in as quiet a place as possible. The floor should be marked with parallel lines, one foot apart and numbered. The child should sit in a revolving chair in the first space. Examination should be made with the whisper or spoken voice. The child should repeat what he hears and the distance at which words can be heard distinctly should be noted. The two ears should be tested separately. The test words may consist of numbers from one to one hundred and short sentences. It is best that but one pupil at a time be allowed in the room, to avoid imitation. The standard to be adopted is as follows: In a still room the standard whisper can be heard easily at 25 feet. The whisper of a low voice can be heard from 35 to 45 feet and of a loud voice 50 to 60 feet.

In the watch test the ticking of a watch is used instead of the voice. The watch test, however, cannot be depended upon, for the reason that children when asked if they hear the ticking of a watch will answer "Yes," when in fact they do not hear the watch. For this reason the whisper test should be used.

RHODE ISLAND.

Law passed in 1911.

Section 2. Every Superintendent of Schools shall cause an examination of the *sight* and *hearing* of all children of the schools under his supervision to be made at least once a year by teachers or school physicians, and shall make provision for preserving the record of the examination of such children and for notifying the parents of defects. The Commissioner of Public Schools shall furnish to Superintendents suitable test cards and appliances approved by the State Board of Health, and such blanks, record books and rules of instruction as he may deem necessary.

Section 4. This act shall take effect on and after the first day of September, 1911.

UTAH.

Law passed in 1911.

Section 1. It shall be the duty of every teacher engaged in teaching in the public schools of the State, separately and carefully, to test and examine every child under his jurisdiction to ascertain if such child is suffering from defective sight or hearing, or diseased teeth, or breathes through its mouth. If such test determines that any child has such defect, it shall be the duty of the teacher to notify, in writing, the parent of the child of such defect and explain to such parent the necessity of medical attendance for such child.

Section 2. The State Board of Health shall prescribe rules for making such tests, and shall furnish to Boards of Education and Boards of Trustees of school districts, rules of instruction, test cards, blanks and other useful appliances for carrying out the purposes of this act.

Section 3. During the first month of each school year, after the opening of school, teachers must make the tests required by this act upon the children then in attendance at school; and thereafter, as children enter school during the year, such tests must be made immediately upon their entrance.

Section 4. It shall be the duty of the Boards of Education and Boards of Trustees of the several school districts of the State to enforce the provisions of this act.

Section 5. The Board of Education or Board of Trustees of any school district may employ regularly licensed physicians to make the tests required by Section 1 of this act, and when such tests are made by a physician, the teachers shall not be required to make the tests provided for in Section 1 of this act.

VERMONT.

Law passed in 1912.

Section 1163. *Equipment.* The State Board of Health and the Superintendent of Education shall prepare suitable test cards, blanks, record books and other needed apparatus to be used in testing the sight and hearing of pupils in public schools, and the necessary instruction for their use; and said Superintendent shall furnish the same free of charge to every public school.

Section 1164 as amended by No. 59, Sec. 2 of the Acts of 1910, as amended by No. 80, Sec. 2, of the Acts of 1912.

Section 1164 as amended: The town superintendent or the principal of a school in an incorporated district not in a supervisory union, shall biennially, in the month of September of every even year, cause his teachers to test the sight and hearing of every pupil seven years of age and older in such school, to keep a record of such tests according to the instructions furnished, to notify in writing the parent or guardian of a pupil who is found to have a defect of vision or hearing or a disease of the eyes or ears, with a brief statement of such defect or disease, and to report the results to said superintendent or principal, who, in turn, shall report the results of such test in his town or district to the Superintendent of Education. Said town superintendent or principal shall also cause his teachers to test the sight and hearing of all children in school becoming seven years of age, and to test at any time the sight and hearing of any pupil apparently defective. The town or union superintendent may, after consulting with the local health officer, dismiss from school any pupil whose personal habits, infirmities or influence are such as to make the presence of such pupil harmful to the welfare of the school.

Section 1165. *Appropriation.* The auditor of accounts shall draw an order for such sums and at such times as the Superintendent of Education, with the approval of the State Board of Health, may require to carry out the provisions of this chapter; but the total amount so drawn shall not exceed six hundred dollars in any biennial term ending June 30th.

NORTH DAKOTA.

Law passed in 1913.

The board of any school corporation in this State may, and whenever petitioned by a majority of the persons having children attending the schools of the district, shall employ one or more physicians as medical inspectors of schools. It shall be the duty of the medical inspector to examine, at least once annually, all children enrolled in the public schools of the district, except those who present a certificate of health from a licensed physician, and to make out suitable records for each child, one copy of which shall be filed with the county or city superintendent of schools. Notice of physical defects of abnormal or diseased children shall be sent to the parents, with recommendations for the parent's guidance in conserving the child's health. The medical inspector shall co-operate with State, county and township boards of health in dealing with contagious and infectious diseases and to secure medical treatment for indigent children. It shall be the duty of the county and city superintendents of schools to co-operate with school boards in promoting medical inspection. He may arrange schools by groups, especially in the rural districts, for the purpose of inspection, and shall advise school boards with a view to securing the most efficient and economical administration of this law. The School Board or Board of Education shall furnish all blanks and other needed supplies for this purpose.

WEST VIRGINIA.

Law passed in 1913.

§7b. 1. That the Board of Education of each independent school district in this State shall, and other boards of education may, within ninety days from the passage hereof, and thereafter on the first day of January of each year, appoint one or more legally qualified practicing physicians in said school district, to be known as medical inspector of schools, fix their salaries and define their duties as hereinafter provided, and furnish the necessary stationery and printing for records and reports.

§7b. 2. It shall be the duty of the medical inspector of schools to separately and carefully test each pupil in his school once during each school year to ascertain if the pupil is suffering from any defect or disability that would prevent the pupil receiving the full benefit of the school work, or if some modification of the school work should be made that the pupil might receive the best educational results.

§7b. 3. The medical inspector shall also, at the request of the

Superintendent of Schools, carefully examine any pupil for evidence of infectious or contagious disease, or any other condition which might prove harmful to other pupils. Whenever any pupil shows symptoms of smallpox, chicken pox, measles, scarlet fever, tuberculosis, diphtheria, influenza, whooping cough, *tonsilitis*, mumps, scabies, syphilis and other venereal diseases, *trachoma*, or any other contagious disease, the pupil must be sent home and the Boards of Health and Education notified in writing by the medical inspector of schools. Any pupil with any of the said diseases shall not attend school.

NEW HAMPSHIRE.

Law passed in 1913.

Section 5. The school physician shall cause notice of the disease or defects, if any, from which any child is found to be suffering to be sent to his parent or guardian. Whenever a child shows symptoms of smallpox, tuberculosis, diphtheria, influenza, *tonsilitis*, whooping cough, mumps, scabies, or *trachoma*, or other communicable disease, he shall be sent home immediately, or as soon as safe and proper conveyance can be found.

Section 6. The school physician shall cause every child in the public schools to be carefully tested and examined in the presence of the teacher at least once in every school year to ascertain whether he is suffering from defective sight or hearing or from any other disability or defect tending to prevent his receiving the full benefit of his school work, or requiring a modification of the school work in order to prevent injury to the child or to secure the best educational results. The tests of sight and hearing shall be made by the teacher under the direction of the school physician. The physician shall cause notice of any defect or disability requiring treatment to be sent to the parent or guardian of the child and shall require a physical record of each child to be kept in such form as the State Superintendent of Public Instruction shall prescribe.

Section 7. The State Board of Health shall prescribe the directions for tests of sight and hearing, and the Superintendent of Public Instruction shall, in co-operation with the State Board of Health, prescribe instruction, test cards, blanks, record books and other useful appliances for carrying out the purposes of this act, and shall provide for students in the normal schools instruction and practice in the best methods of testing the sight and hearing of children.

Section 8. Any parent or guardian may protest in writing to

the teacher against the examination of his or her child or ward, and such pupil shall thereafter be exempt from any examination for or on account of any non-contagious disease or defect.

Section 9. The district may raise money for carrying into effect the provisions of this act.

Section 10. All acts and parts of acts inconsistent with the foregoing are hereby repealed, and this act shall take effect upon its passage.

NEW JERSEY.

Law passed in 1913.

6. Pupils sent home from school by a medical inspector, with a diagnosis of infectious or contagious disease, either actual or suspected, shall not be readmitted to their respective classrooms until they present a written certificate of good health from their family physician or some other regularly qualified physician, who has examined or treated them. This rule covers cases of disease of the skin or scalp, and of purulent discharges from the eyes, nose or ears, as well as all diseases of an infectious or contagious nature.

4. At the commencement of each school year the medical inspector shall examine every pupil enrolled in that school district. This examination shall include:

Eyes. For far and near-sightedness and the condition of the eye lids.

Ears. For acuteness of hearing and presence or absence of discharges.

Throat. Condition of tonsils. Possible adenoids.

Teeth. Condition and care.

Rules Relating to Medical Inspection, as amended by the State Board of Education, October 18, 1913.

NEW YORK.

Law passed in 1913.

514. Record of examinations; eye and ear tests. Medical inspectors or principals and teachers in charge of public schools shall make eye and ear tests of the pupils in such schools, at least once in each school year. The State Commissioner of Health shall prescribe the method of making such tests, and shall furnish general instruction in respect to such tests. The Commissioner of Education, after consultation with the State Commissioner of Health, shall prescribe and furnish to the school authorities suitable rules of instruction as to tests and examinations made as provided in this article, together with test cards, blanks, record

books and other useful appliances for carrying out the purposes of this article. The Commissioner of Education shall provide for pupils in the normal schools, city training schools and training classes instruction and practice in the best methods of testing the sight and hearing of children.

575. Existence of contagious diseases; return after illness. Whenever upon investigation a pupil in the public schools shows symptoms of smallpox, scarlet fever, measles, chicken pox, tuberculosis, diphtheria, influenza, *tonsillitis*, whooping cough, mumps, scabies or *trachoma*, he shall be excluded from the school and sent to his home immediately, in a safe and proper conveyance, and the health officer of the city or town shall be immediately notified of the existence of such disease. The medical inspector shall examine each pupil returning to a school without a certificate from the health officer of the city or town, or the family physician, after absence on account of illness or from unknown cause.

Such medical inspectors may make such examinations of teachers, janitors and school buildings as in their opinion the protection of the health of the pupils and teachers may require.

576. Enforcement of Law. It shall be the duty of the Commissioner of education to enforce the provisions of this article, and he may adopt such rules and regulations not inconsistent herewith, after consultation with the State Commissioner of Health, for the purpose of carrying into full force and effect the objects and intent of this article.

He may, in his discretion, withhold the public money from a district which willfully refuses or neglects to comply with this article, and the rules and regulations made hereunder.

577. State Medical Inspection of Schools. The Commissioner of education shall appoint a competent physician who has been in the actual practice of his profession for a period of at least five years as State Medical Inspector of Schools. The State Medical Inspector of Schools, under the supervision of the Commissioner of Education, shall perform such duties as may be required for carrying out the provisions of this article. The said medical inspector shall be appointed in the same manner as other employees of the Education Department.

2. This act shall take effect August 1, 1913.

MARYLAND.

Law passed in 1914.

An act to provide for the medical examination of school children and the promotion of their health.

Section 1. Be it enacted by the General Assembly of Maryland, that the Board of County School Commissioners of any county in the State, may, in its discretion, appoint one or more school physicians and assign one to any public school within the limits of such county, and shall provide such school physicians, when so appointed, with proper facilities for the performance of their duties, as hereinafter provided.

Section 3. And be it enacted, that every school physician so appointed shall make a prompt examination of all children referred to him, as hereinafter provided, and such further examination of teachers, janitors and school buildings as in his opinion the protection of the health of the pupils may require. He shall return promptly to the authorities appointing him, on blanks furnished as hereinafter provided, the results of his examinations.

Section 5. And be it enacted, that the Board of County School Commissioners of any county, which has appointed one or more school physicians, in accordance with the provisions of this act, shall cause every child attending the public schools therein to be separately and carefully tested and examined at least once in every two years to ascertain whether such child is suffering with defective sight or hearing, or from any other physical disability tending to prevent such child from receiving the full benefit of school work, or requiring a modification of such school work, in order to prevent injury to the child, or to secure the best educational results: and the school authorities may establish special classes for these defective children, and may employ additional teachers for this purpose.

Section 6. And be it enacted, that notice of the disease and defects, if any, from which any child is found by such school physician to be suffering, shall be given to the parent or guardian of such child, with such advice relating thereto as said physician may deem advisable.

Section 8. And be it enacted, that the State Superintendent of Public education shall prescribe, after consultation with the State Board of Health, the directions for tests of sight and hearing, and shall prescribe for the school authorities of the State suitable rules of instruction, test cards, blanks, record books, and other useful appliances for carrying out the purposes of this act.

Section 10. And be it enacted, that the State Board of Education shall provide for pupils in the normal schools suitable instruction and practice for testing the sight and hearing of school children.

Section 11. And be it enacted, that the expenses incurred under the provisions of this act shall be paid in the same manner as the ordinary expenses for the support of schools in the several counties of the State.

Section 13. And be it enacted, that this act shall take effect July 1, 1914.

WYOMING.

Law passed in 1915.

Section 1. It shall be the duty of every teacher engaged in teaching in the public schools of incorporated cities and towns of the State separately and carefully to test and examine every child under his jurisdiction to ascertain if such child is suffering from defective sight or hearing or diseases of nose or throat.

Section 2. In making the tests required by Section 1 of this act the teacher shall employ eye testing charts of a standard character approved and supplied by the State Superintendent of Public Instruction, and shall conform to the rules of the State Superintendent in methods of applying such tests, especial attention being given to defects that may be disclosed by the following questions:

1. Does the pupil habitually suffer from inflamed lids or eyes?
2. Does the pupil fail to read a majority of the letters in the number 20 line of the standard vision chart with either eye?
3. Do the eyes and head habitually grow weary and painful after study?
4. Does the pupil appear to be "cross-eyed"?
5. Does the pupil complain of earache in either ear?
6. Does matter (pus) or a foul odor proceed from either ear?
7. Does the pupil fail to hear an ordinary voice at twenty feet in a quiet room?
8. Is the pupil frequently subject to "colds in the head" and discharges from the nose and throat?
9. Is the pupil an habitual "mouth breather"?

If an affirmative answer is found to any of these questions the teacher shall give such pupil a report to his parent or guardian made on a report blank prepared and furnished by the State Superintendent of Public Instruction, such report to be made in form prescribed by the State Superintendent.

It shall be the further duty of the teacher to record the results of the examinations required by Section 1 of this act in such a manner as may be prescribed by the State Superintendent of Public Instruction.

Section 3. It shall be the duty of the State Superintendent of Public Instruction to prescribe rules for making such tests as are required by this act and to prepare copies thereof, together with all blanks, charts and printed forms deemed necessary by the State Superintendent for carrying into effect the provisions of this act, and to distribute them to all the public school teachers in incorporated cities and towns of the State, such distribution to be made through the district boards, or, if there be such, through the executive officers thereof, the expenses of such printing and distribution to be borne out of the State Superintendent's contingent; provided, that the annual expense for such purpose shall not exceed one hundred and fifty dollars.

Section 4. During the first month of each school year, after the opening of school, teachers must make the tests required of this act upon the children then in attendance at school; and thereafter, as children enter school during the year, such tests must be made immediately upon their entrance.

Section 5. It shall be the duty of the Boards of Trustees of the several school districts of the State to enforce the provisions of this act.

Section 6. This act shall take effect and be in force from and after July 1, 1915.

DELAWARE.

Law Passed in 1915.

The State Board of Education adopted the resolution that the vision test cards prepared by the American Medical Association for the annual and systematic examination of school children's eyes, ears, noses and throats, by teachers, should be placed in operation by the public schools of the state of Delaware. The Commissioner of Education was instructed to supply these charts to the public schools.

It will be observed that the tests are free in all the states, that is, so far as testing materials are concerned. By this is meant such materials as vision charts, warning cards to parents, statistical blanks. These materials will all be furnished on application by the State Board of Education or other departments designated for this purpose.

Connecticut is the only state confining such examinations to the eye alone, and it is hoped that this state will include ear, nose and throat examinations at the next meeting of the legislature.

Those states requiring eye and ear examinations are Massachusetts, Maine, Pennsylvania, Indiana, Vermont, New Hamp-

shire, New York, Maryland and Rhode Island. Again, it is hoped that these states will soon include nose and throat tests in its school examinations required by law.

Those states requiring eye, ear, nose and throat examinations are Colorado, Utah, North Dakota, West Virginia, New Jersey, Wyoming and Delaware.

It seems quite necessary that eyes, ears, noses and throats should always be tested, as it is of course, certain that many eye and ear conditions, are produced by nose and throat diseases, and as long as the tests are being made at all, the nose and throat should be included as it only takes a very short time extra to observe nose and throat conditions, and then the tests are made incalculably more valuable.

Those states making these tests obligatory are Connecticut, Massachusetts, Colorado, Maine, Pennsylvania, Indiana, Utah, Vermont, West Virginia, New Hampshire, New Jersey, New York, Wyoming, Delaware and Rhode Island.

In North Dakota, the law leaves the matter in the hands of the parents of the various districts, to decide whether they will employ a medical inspector for the work or not. If, however, it is decided to have the work done, the law outlines the method of performing the examinations. The law of Maryland is similar. The law assumes that the work shall be performed by medical men, and therefore does not feel at liberty to cause community expense, where it can be avoided. This obligation could of course be overcome, by having the tests made by room teachers, according to the method so often described by me, and which has been adopted as a law in some states, and which is now being so generally and voluntarily used in most portions of the country.

The following states specify that the tests shall be made by teachers: Connecticut, Massachusetts, Colorado, Indiana, Utah, Vermont, New Hampshire, Wyoming and Delaware. In Maine, New York and Rhode Island the tests may be made by either the teachers or the Medical School Inspectors, and in Pennsylvania, North Dakota, West Virginia, New Jersey and Maryland they must be made by the Medical School Inspectors.

In urging that the annual and systematic examination of school children's eyes, ears, noses and throats be made by the school room teachers, I hope to escape the charge of over-enthusiasm, and wish to openly state that while I believe it is the only practical solution of the problem, it is of course, not the most ideal method of procedure. Obviously, an eye and ear surgeon can do this work

better than anybody else, but there are several reasons why this solution of the problem is impracticable, and I doubt if a single instance can be shown, where eye and ear surgeons, have persistently and constantly carried on this work in a single city in this country year after year. Professional jealousy is one of the principal reasons for the failure of this plan, as those who are not asked to participate in the work, are jealous of those who are, and a Macedonian cry is promptly raised, by those who have been left outside, which is always maintained with such vigor and persistency, as to eventually discourage the entire movement. Besides this, many parents object to a physical examination of their children saying that such investigations, exceed the boundaries of school authorities, and that it will not be permitted. They claim to be able to settle all such matters themselves. Such parents are usually neglectful of parental duties, and the unfortunate children are the innocent victims. Then, it must be remembered that an annual eye, ear, nose and throat examination by specialists of (for instance) the public school children of Chicago, would cost a large annual sum of money if the services were paid for, and unpaid public services, are almost invariably unsatisfactory, and difficult to control, under authority. If these specialists should be paid even a small amount of money individually for their services, it would aggregate a considerable annual sum, which I will venture to confidently assert, would not be assumed by either a Board of Education, or a Board of Health, who neither of them ever have sufficient money to carry on their work, in a really adequate manner. The same financial objection exists, if it is proposed that these tests shall be annually and systematically performed on all children, by the regular Medical School Inspectors, for if this should be done, the Board would have to install a large additional corps of Inspectors, and if they did this, they might just as well employ eye and ear specialists, who could of course, and would, do the work better than general practitioners. Should this be done, the question immediately presents itself, as to what kind of examinations these eye and ear doctors shall make? Will they be merely brief examinations to ascertain the existence of defects or diseases—with cards sent to parents, urging them to consult their family physician or some eye and ear surgeon of recognized standing, either at his office or a free dispensary, or will they consist of a thorough examination with or without treatment? In the latter case, offices and equipment would have to be opened in the various buildings, and the question of individual school dispensaries met

and solved. I believe that at *the present time*, few cities are prepared to go into this proposition, in such a complete and expensive manner, and I believe that the only kind of an inspection by anybody, warranted *at the present time*, is an inspection to ascertain simply, the existence of abnormal conditions of some kind, leaving it to the parents (with follow-up urgings by inspectors, teachers or nurses) to select their own doctors, and assume their own responsibilities. It has been suggested that the tests shall be performed by school nurses, and in reply I will say, that I believe this is an excellent plan (like the previous ones) if the money can be annually set aside for the purpose, but inasmuch as this would considerably increase the annual budget, I think the idea may be set aside as good, but not at present feasible. The only other practical method of having this work done, is to have the tests made by the school room teachers, and fortunately this method is, at once, practicable, easy, reasonably thorough, and cheap. All it needs are especially devised vision charts for schools, warning cards for parents, simple report blanks, willing teachers, and the scholars. Let us suppose that the tests are to be made in Chicago what would be the necessary steps to be taken? Some one familiar with the work and in sympathy with it, should be appointed to have charge of it. Room teachers should report to their principals, principals should report to the individual in charge, and this individual should report to the Superintendent of Schools.

In order that teachers should become familiar with the work, they should attend a demonstrating and explanatory lecture, in each city school district, where some one, should thoroughly explain the plan, and demonstrate its workings, on a few scholars. An especially devised vision chart, with teachers' instructions attached, together with warning cards to parents, and report blanks, should be distributed to each room. A day (preferably in the early fall) should be set aside for these tests, in all the schools. Each room contains about 40 to 50 scholars. These can be easily inspected in one day, and then the work is done. It is better to examine children in rooms where they can be quiet and isolated, but if such rooms are not available, the tests can be made in the ordinary school school rooms. The teachers should have cadets, school nurses, or selected scholars to assist them, as by having some one point out the letters, speak to the scholars in testing hearing, make out the warning cards, etc., the work is simplified and expedited. It will not take more than five minutes to examine a scholar after the

work is systematized—so an entire school room can be easily examined in one day.

In order to make the work easy and practical, I have prepared what I call a "Vision Chart for Schools." This chart contains the usual test letters for testing vision. Each line also contains at least, one letter for illiterates, which enables small children to be accurately tested as to their visual capacity. The lower portion of the chart contains the teachers' instructions. This portion of the chart should be cut or torn away from the upper portion, on a line which is properly designated. Three objections to this plan have been raised, notwithstanding the fact that it has been formally endorsed by a carefully selected committee of specialists and educators, appointed by the American Medical Association; is quite generally used all over the United States; and is a law in seventeen states, having been just adopted by the state of Delaware. The first objection is that teachers are not competent to make the tests, having had no medical education. In reply, I will emphatically state, that anybody who knows enough to be a teacher can easily do the work. No medical education is necessary. Reflect for a moment upon the questions to be asked, and you will see that no medical knowledge is necessary, to answer *any* of them. For instance: "Does the pupil habitually suffer from inflamed lids or eyes?" "Does matter or a foul odor proceed from either ear?" "Is the pupil an habitual 'mouth breather?'" etc. It will be seen that these are all non-medical questions, and the others are the same. No medical knowledge whatever is necessary. The teacher is not expected to express any opinion as to a child's disease; she probably will not have any—she will merely know that the child has red eyes, or that the ears discharge and smell, or that the child is a "mouth breather," etc., etc. She simply finds out that *something* is the matter, the doctor consulted will do the rest. These questions are so simple that a superficial reader might deem them inadequate, and yet, if they are correctly answered, they will disclose the existence of—let us say—90% of serious eye, ear, nose and throat diseases. The second objection to the plan is, that it is unjust to place this additional burden upon the shoulders of already over-worked teachers. In reply I will say, that if teachers fully understood the plan, its simplicity and efficiency, and its benefits to the scholars, to themselves as teachers, and to the community at large, they would, I believe, be the strongest advocates of its adoption. Teachers should remember that this is *not extra* work, for they would be doing school work of some kind, under any circum-

stances, and it is difficult to understand, why a day's work of testing children's eyes, ears, etc., should be a much greater tax upon a teacher's strength, than the usual work of hearing recitations, etc. And then think of the enormous benefit to all concerned, involved in this *one day's work*. The *children* will be benefitted wherever this plan is adopted, because a vast majority of their eye, ear, nose and throat diseases and defects will be relieved or cured, and blindness, deafness and dumbness will be minimized. They will be enabled to go on with their school work with much greater ease and enthusiasm, their school life will be shortened and their minds, morals, ambitions, life, etc., will be benefitted in every possible direction. The *parents* will be benefitted because, the easier acquirement of an education and the general improvement in character of the children, incident to relief from their infirmities, will produce better children, and children who will become of greater assistance in every way to their parents. The *public* will be benefitted, because education means less truancy and idleness, less vagrancy and crime, less money spent for courts, jails, asylums, etc., and more money for the better things. The *nation* will be benefitted because the healthier and better educated the children of a country become, the greater and more powerful will be its position as a nation. And lastly, the *teachers* will be benefitted because teaching stupid, or apparently stupid children, is the bane of a teacher's existence, and does more to vitiate their nervous and physical conditions, than most of their other labors. If all of their children could be reasonably normal children, their lives would be immeasurably happier. These eye, ear, nose and throat tests, if properly and systematically carried out each year, and faithfully followed up, will enormously lessen the number of difficult children, and will therefore greatly increase the health and happiness of their teachers. Besides this, it must not be forgotten that non-medical tests of this nature, where the children are hardly touched, and where no instruments are used, will almost completely disarm the opposition of those parents, who, for one reason or another, object to having their children's bodies touched, or their health examined, in the public schools. How then can a teacher spend a day to better advantage, and how can she invest time, and work where it will bring greater returns, to the *pupils*, to the *parents*, to the *community*, to the *nation* and to *herself*, than by conscientiously and enthusiastically performing these tests, and in seeing that their spirit, and aims are fulfilled.

I do not wish to be understood as saying that this is the *best*

method for the detection of eye, ear, nose and throat defects and diseases in children. It is not. The *best* way, is to have such work done by medical men, and preferably by oculists and aurists. But, this is also the most expensive way, and in the present condition of public funds, seems to be prohibitive. Nevertheless, when public funds are in such a condition, that medical specialists can be annually and systematically employed to perform this labor, I shall most enthusiastically advise the abandonment of the tests by teachers. At the present time, however, extraordinary expenditures are impossible, and the tests by teachers are easy, efficient, well endorsed and cheap. I do not believe they would cost say the city of Chicago, for instance, to exceed \$500 a year.

The following states indicate that the tests are to be made each year: Connecticut, Massachusetts, Colorado, Maine, Pennsylvania, Indiana, Utah, North Dakota, West Virginia, New Hampshire, New Jersey, New York, Wyoming, Rhode Island and Delaware while in Maryland and Vermont the tests are only made once in two years.

It is obvious that the tests should be made systematically each year, as new diseases and conditions are liable to occur in twelve months, and new scholars are constantly entering school. Besides this, these re-examinations afford an opportunity of reconsidering the past examinations, and of enquiring into the effects of medical advice. It also enables the examiner to go over again the conditions of those children who have been advised to consult a doctor and have not done so. These additional examinations, and warnings to parents and scholars, may, and very likely will, induce those who have not sought medical advice, to reconsider the matter and go.

Those states specifying that the tests shall be made in the fall of the year, are Connecticut, Colorado, Pennsylvania, Utah, Vermont, New Jersey, Wyoming and Delaware, while nothing is said about the period of the year, in Massachusetts, Rhode Island, Maine, Indiana, North Dakota, West Virginia, New Hampshire, New York or Maryland. I regard it of great importance that the tests should be made in the early fall, as by so doing, the initial part of the work is accomplished early in the school year and ample opportunity is then given, to watch the effects of medical care, to make valuable suggestions, and to follow up those cases that refuse to consult a doctor. All this would be diminishly unfeasible and impossible, the later along in the school year, the tests are made. A day should be set aside in the early fall for this work, say the second Tuesday in each October, and each teacher should examine the 40 or 50 pupils in her own room. By thus subdividing the work, all the

children in any city of any size can be examined in one day. Or, if it is preferred, let a few children be kept after school each day, until the work is done.

In the following states no mention is made of the amount of money that is to be expended for testing material: Connecticut, Rhode Island, Pennsylvania, Indiana, Utah, North Dakota, West Virginia, New Hampshire, New Jersey, New York, Maryland and Delaware. In Massachusetts the amount was limited to \$1,500, for the first year, and \$500 for succeeding years. This provision was doubtless made because the chief expense of the tests, when made by teachers, would be the Vision Charts and these if carefully put away and cared for would last for several years. In Colorado the amount is limited to \$500 a year. In Maine the amount is the same. In Vermont the amount is \$300 a year. In Wyoming the amount is limited to \$150 a year. Of course, the amount of money required for this purpose, will be governed by the number of school children in the state, but if the teachers make the tests, it cannot be large in any event. Cases of trachoma and tonsilitis are, by law, excluded from schools in the following states and should be in all of them: Massachusetts, Maine, West Virginia, New Hampshire and New York.

The readers of this article know, that aside from actual mental deficiency, there is nothing that so handicaps a student, as the inability to see and hear easily, as practically all school work is accomplished through the agency of these organs of special sense. Without good eyes and ears, education must be acquired with proportionate difficulty, and proportionate discouragement. Discouragement is followed by indifference to work, and then comes truancy, bad companions, idleness, vicious habits, crime, etc. Such people cost the public far more to care for them, by way of policemen, charities, courts, reformatories, prisons, etc., than it would cost to correct their defects and diseases, and if necessary to educate them in special schools.

Besides this let me remind you of the devitalizing effect such scholars have upon their teachers, and upon general school progress. Teaching dull and defective scholars is the most nerve-racking work performed by teachers, and my plea has been for years, to spare them this affliction as much as possible. Such scholars may remain in one room term after term and become the trial of their teachers' lives. Besides this, children with uncorrected eye and ear defects, may delay the progress of an entire room, and this retards general school advancement. The solution of the problem is easy,

so far as eye and ear defects and diseases is concerned. A very large proportion of dull students are only *apparently* dull. They may have bad eyes or ears, which, if corrected, will transform them into capable scholars. My plea is that this shall be done, that the scholars, their families, the public, the teachers, and the schools may be benefitted, and that after all possible physical defects have been eliminated, those children who still remain defective, shall be removed to special schools, especially equipped for their care and education. Without further preamble or argument therefore, let it be assumed that

1st. Eye, ear, nose and throat defects are exceedingly frequent in school children.

2nd. That such defects materially hinder the acquirement of an education.

3rd. That non-advancing students are a severe trial to teachers, a detriment to schools, and may be a menace to the community.

4th. That a vast majority of such defects can be relieved and the lives of scholars, teachers, and parents made much happier and easier by such relief.

5th. That the community is rendered safer, and that it is financially economical, to see, that eye, ear, nose and throat defects in children are corrected.

This brings us squarely up to the question of: What is the best means of obtaining relief? It may be assumed, that this is a matter that cannot be left safely to the parents themselves. Even intelligent parents are incompetent to face this problem, for, however well-meaning and solicitous they may be, many serious defects may for a long time remain undetected, without the intervention of a systematic and routine examination. If this is true, then it is doubly apparent, that the parents of the *average* public school child, should not be trusted with this responsibility.

Great confidence is often expressed by teachers and parents in the ability of *teachers* to detect eye, ear, nose and throat defects in children, by means of daily close association and observation. This argument is, of course, true to a certain extent, especially, in the case of gross and apparent defects or diseases, such as persistently red eyes, crossed eyes, mouth-breathing, great deafness, etc. But there are many serious conditions such, for instance, as a one-sided cataract, and one-sided deafness, many defects calling for properly fitted glasses, etc., etc., that will only become evident through the mediumship of periodical systematic inspection by somebody. The fact is, that *nobody*, not even an eye and ear specialist is com-

petent to pronounce upon the healthy condition of a child's eyes, ears, nose and throat without *some kind* of a *personal* examination. If this is true (and it is) then in order to ascertain whether a child's eyes and ears are defective, they should be subjected to a personal inspection by *somebody*. The question is, by *whom* shall this be done, and under what circumstances, assuming that it must be done systematically and periodically, under control of an authorized Board.

In the light of my own observation and experience for the last twenty years, and from much information gathered during the past two years, during which time I have been Chairman of the Conservation of Vision Committee of the American Medical Association, I have endeavored to gather together what is being done along these lines in this country, and to draw deductions therefrom. I have no hesitation in saying that I believe the best method of dealing with the subject, is to pass laws in each state, requiring the annual and systematic examination of school children's eyes, ears, noses and throats, according to the method I have frequently described, and which is now so generally used.

A picture of the Vision Chart with teachers' instructions attached are here given, and also the text found upon the teachers' card. The charts are for sale by F. A. Hardy & Co., 10 So. Wabash Ave., Chicago, Illinois.

A VISUAL CHART FOR SCHOOLS.

The advisability and necessity of examining eyes and ears of children attending the public schools is now generally recognized by principals and teachers everywhere.

The system which will be described furnishes a simple method whereby the eyes and ears of each pupil may be quickly examined by the teacher, a record made, and, if an apparent defect exists, the parents notified. This system has been annually employed in many cities of this country, and is rapidly being adopted by boards of education throughout the United States and other lands.

For making these tests a card of test letters has been planned, with complete instructions on each card. These cards are printed upon 6-ply Peerless board, 11x27 inches, with eyelet hole for hanging. The lower section, or that part of the card containing instructions and information regarding their use, is made so as to readily be detached from the main body of the card.

The object of this is to allow the teacher to have before her these instructions while examining the pupil, with the test letters hanging at the proper distance on the wall.

Upon request an exact paper proof of the chart will be sent without charge, or a sample chart, including cost of mailing, for 25 cents.

PRICES:

Single chart, including cost of mailing.....	\$.25
Quantities of more than 10 and less than 100, each.....	.07
100 to 500 charts, per 100.....	5.00
Over 500 charts, per 1,000.....	40.00

INSTRUCTIONS FOR THE EXAMINATION OF SCHOOL CHILDREN'S EYES, EARS, ETC.

For Use of Principals, Teachers, Etc.

Do not expose the card except when in use, as familiarity with its face leads children to learn the letters "by heart."

First grade children need not be examined.

The examination should be made privately and singly.

Children already wearing glasses should be tested with such glasses properly adjusted on the face.

Place the "Vision Chart for Schools" on the wall in a good light; do not allow the face of the card to be covered with glass.

The line marked 20 should be seen at 20 feet, therefore place the pupil 20 feet from the card.

Each eye should be examined separately.

Hold a card over one eye while the other is being examined. Do not press on the covered eye, as the pressure might induce an incorrect examination.

Have the pupil begin at the top of the test card and read aloud down as far as he can, first with one eye and then with the other.

For the use of those children not knowing the names of letters, the sign () has been placed on each line in various positions. The child should indicate in which position this sign is placed. A cardboard symbol () can be easily cut out, which the child can hold in its hand. It should hold the figure in the same position as the one it is expected to see on the chart. For the purpose of convenience each line ends with the sign () in various positions.

FACTS TO BE ASCERTAINED.

1. Does the pupil habitually suffer from inflamed lids or eyes?
2. Does the pupil fail to read a majority of the letters in the number 20 line of the Test Types with either eye?
3. Do the eyes and head habitually grow weary and painful after study?
4. Does the pupil appear to be "cross-eyed"?
5. Does the pupil complain of earache in either ear?
6. Does matter (pus) or a foul odor proceed from either ear?
7. Does the pupil fail to hear an ordinary voice at 20 feet in a quiet room? Each ear should be tested by having the pupil hold his hand over first one ear, and then the other. The pupil should close his eyes during the test.

8. Is the pupil frequently subject to "colds in the head" and discharges from the nose and throat?

9. Is the pupil a habitual "mouth breather"?

If an affirmative answer is found to any of these questions, the pupil should be given a printed card of warning to be handed to the parent, which should read something like this:

CARD OF WARNING TO PARENTS.

After due consideration it is believed that your child has some eye, ear, nose and throat disease, for which your family physician or some specialist should be at once consulted. It is earnestly requested that this matter be not neglected.

Respectfully,

.....School.

If only an eye disease is suspected, the words "ear, nose and throat" should be crossed off; if it is only a nose and throat disease, the words "eye and ear" should be crossed off.

It will be observed that these cards are non-obligatory in their nature. They do not require anything of the parent, who is at perfect liberty to take notice of the warning card or not, as he sees fit.

They simply warn the parent that a probable disease exists, thus placing the responsibility on the parent.

If the parents neglect the warning thus conveyed, the teacher should, from time to time, endeavor to convince such parents of the advisability of medical counsel. Teachers are urged to impress on pupils and parents the necessity for consulting reputable physicians.

These tests should be made annually at the beginning of the fall term, and should include all children above the first grade.

Each teacher should examine all the children in her own room, and should report the results of such examinations to the principal, such reports to be signed by the examining teacher.

The following simple form of report, to be filled out by the teacher and handed to the principal, is suggested:

No.....	Name of Pupil.	Do the tests indicate an Eye, Ear, Nose or Throat Disease? Answer "Yes" or "No." If so, which?	Was the pupil given a card of warning?

STATE LEGISLATION CONCERNING OPHTHALMIA NEONATORUM.

PAPER NUMBER TWO.

FRANK ALLPORT, M. D.,

CHICAGO, ILL.

This paper will not discuss the general subject of Ophthalmia Neonatorum; this is not necessary in an ophthalmological journal. It will merely endeavor to help the movement intended to exterminate this disease, especially by recording the various state procedures, calculated to produce this desirable result.

Before proceeding to review the separate state methods of controlling Ophthalmia Neonatorum, it may be well to emphasize a few facts concerning this disease that are sometimes, but never should be, forgotten.

First. Ophthalmia Neonatorum is responsible for about 20 per cent of the blind in the United States and for about 25 per cent of the inmates of blind asylums.

Second. It costs about \$30.00 a year to educate an ordinary child, and about \$400.00 a year to educate and care for a blind child. This does not take into consideration the many financial and sociological side-lights to blindness, and the personal and state misfortunes incident to blindness, and unproductive citizenship.

Third. There are about fifty blind schools in the United States, costing about \$2,000,000 a year to maintain.

Fourth. Ophthalmia Neonatorum costs the United States about \$7,000,000 per annum, in actual money.

Fifth. Next to optic nerve atrophy, Ophthalmia Neonatorum is the most prolific cause of blindness in the United States.

Sixth. The Credé treatment for *all* new-born children would almost entirely eliminate Ophthalmia Neonatorum and its dreadful consequences from the world.

Seventh. The use of this evidently necessary treatment is by no means universal, and its omission is not confined to midwives. Some reputable physicians use it invariably; others, *never* use it; still others use it when conditions are suspicious. In order to accomplish its purpose the use of this treatment should be invariable. It should become recognized as an integral part of a woman's confinement, and as a reliable provision against blindness. It should be understood that gonorrhoea is not the only

condition that will produce this disease, but that it may occur from other and non-disgraceful causes.

Eighth. Midwives are a financial and sociological necessity. Fully one-half the confinements are attended by midwives. If it were not for midwives most of these cases would be merely looked after by friends and relatives. Midwives should be educated, examined, licensed, and inspected, and should always call in medical assistance in complicated cases. The first school of this kind was established in 1913 at Bellevue Hospital, New York City, and has abundantly proven its usefulness. Intelligent women are receiving these instructions, and many graduated nurses have undertaken midwifery as a profession.

Ninth. Births should be compulsorily reported within a few hours. The ocular condition should be reported, and the physician should state whether or not he has used the prophylactic treatment. The method of using the prophylactic, and the state law (if any exists) should be printed on the report blank. Immediate action should follow reporting. By action is meant medical attendance (hospital preferred), nursing, etc.

Tenth. Suitable laws should be passed in each state, providing for the invariable use of Credé prophylaxis in all newly born children, and proper penalties should be imposed for the non-observance of such instruction. Such laws should be not only enacted, but observed. A few punishments for disobedience would result in the universal state observance of the law.

Laws in themselves are not sufficient; they must be obeyed. One of the best means of insuring such obedience is to create intelligence on this subject, by propaganda, publicity, etc. Every legitimate method of educating and enlightening the people, the midwives and the doctors should be encouraged. If this is done, and proper laws are passed and obedience enforced, it will not be long before the Credé idea of preventing much needless blindness will become a matter of course, and its use demanded by expectant mothers and their families.

Eleventh. While not prophesying as to what the future may produce, in the way of prophylaxis, it is reasonably certain that at present there is no remedy that can take the place of nitrate of silver. Argyrol, protargol, callorgal, and many other remedies have been proposed, enthusiastically indorsed, widely used, and gradually abandoned. Nitrate of silver alone has stood the test of time. The ideal remedy is of course one that:

1. Reliably destroys the micro-organisms.
2. Does not injure the eye.
3. Does not produce prolonged redness.
4. Does not cause pain.
5. Does not deteriorate by time, light or exposure.
6. Can be freely used.

Unfortunately, nitrate of silver only responds to one of these qualifications, viz., it reliably destroys the micro-organisms. It does, however, sometimes injure the epithelium, produce prolonged redness, cause pain, deteriorate by time, light and exposure, and should not be freely used. There is, therefore, room for improvement, and it is hoped that a perfect drug will be found; but until then, nitrate of silver should be the standard remedy, for it can almost invariably be depended on to destroy the micro-organisms, and after all that is the main thing to be considered. Besides this all the objections to its use are really trifling, and can be easily overcome. Cases of injuries to the epithelium are extremely rare; continued redness is not often seen; the pain is slight and temporary; deterioration can be overcome by only using absolutely fresh solutions; and it is easy to only use 1 or 2 drops. Many careful observers believe that the 2 per cent solution of Credé is unnecessarily strong and severe, and that just as good results will be attained by a 1 per cent solution, thus reducing by one-half the objections to its use. It is quite possible that this view is correct. It should not be forgotten, however, that cases where a 2 per cent solution have produced really objectionable results are extremely rare, and might have been easily due to drug deterioration, rather than to drug strength. The cloudiness in a deteriorating silver solution is due to the liberation of free nitric acid, which is, of course, very irritating to the delicate ocular epithelium.

In order to provide free and reliable silver solutions some states and cities prepare and distribute fresh and carefully compounded solutions to doctors and midwives on application. For instance, New York State distributed last year nearly 20,000 outfits of a 1 per cent solution of silver. Circulars in English, Italian and Polish were freely distributed through about 1,600 health officers to doctors and midwives. It cost about \$5,000. Think of the economy of this measure, to say nothing of its benefits to individuals, families, municipalities and mankind in general. Free distribution does not imply parsimoniousness on the part of doctors and midwives. It is done to provide reliable aseptic solutions,

to prevent accidents in writing prescriptions and in druggists' work, to insure against drug deterioration, etc.

Twelfth. One almost insurmountable difficulty in the way of proper treatment of Ophthalmia Neonatorum is the paucity of resources in combating the disease. This disease apparently has no friends. Nobody wants it around. A small hospital should be established in all large cities for the prompt reception of such cases. Or it should be clearly understood by health officers, doctors, midwives, visiting nurses, etc., that certain hospitals will receive such patients, in special wards, at any time, day or night, and undertake to provide expert medical attendance, care, day and night nursing, etc. Mothers who are nursing their babies should either stay with them or come at stated intervals to continue the nursing. In no other way can this disease be successfully handled. Its progress is swift and terrible. A few hours may mean permanent blindness. There is no time to wonder what can be done. This should all be understood beforehand, and prompt action *immediately* taken. Private homes, especially of the squalid variety, are no places for the treatment of this disease.

Thirteenth. Health Departments in the larger cities should employ an experienced eye nurse to search out and follow up cases of Ophthalmia Neonatorum, and to see that immediate action is taken when cases are found.

Fourteenth. I believe that great benefit would be accomplished if brief and pointed "leaflets" could be freely distributed in several different languages. Such "leaflets" should be sent by some central organization (such, for instance, as the Conservation of Vision Committee of the A. M. A.) to different organizations in the different states, such as boards of health, dispensaries, to be freely distributed to doctors, midwives, expectant mothers, etc. I am here submitting a sample of such a "leaflet."

What to Do Before the Baby Is Born.

1. The care of a child's eyes begins BEFORE it is born.
2. The mother's parts, through which the child passes at birth, should be washed several times a day with soap and water, for about one week before the baby is born.
3. If a discharge comes from these parts, the mother should at once consult a good doctor, at his or free dispensary, for this discharge, if not stopped, will be a TERRIBLE POISON to the baby's eyes.

4. This discharge may be caused by "The Bad Disease," or it may not.

In either case it should be stopped, **OR A BLIND BABY MAY BE THE RESULT.**

5. If for any reason a doctor is not consulted, the mother should not only keep her parts clean, with soap and water, but she should get a fountain syringe and syringe out her parts, several times a day, with warm, boiled, soap and water.

6. The mother should be careful to keep her hands clean and to keep her hands away from her eyes, or she may get some of the poison in her own eyes, and cause blindness.

7. All cloths, etc., used by her in cleaning her parts **SHOULD BE BURNED**, as they may be full of poison. It is better to get quantities of cheap cheese cloth and then burn it.

8. If the mother has a discharge coming from her parts, she should keep away from the other people in the family as much as possible, for she may poison them and cause the same disease, and possibly blindness.

9. If the mother has a discharge, she should try and use a separate water closet or vessel, and keep everything perfectly clean with soap and water cleansings.

10. **IT WOULD BE BETTER FOR BABIES TO BE BORN IN HOSPITALS**, where everything is convenient and clean, and where the mother may be sure of a good doctor and nurse, and where, if mothers are too poor to pay out money, they can be cared for free.

11. If the mother does not go to a hospital she should, if possible, call in a good doctor, as midwives are unsafe.

12. If the mother is poor, she should not forget to call a visiting nurse. **THEY KNOW THEIR BUSINESS**, and **CAN TELL THE MOTHER** what to do.

What to Do After the Baby Is Born.

1. As soon as the head is born the mouth should be swabbed out with a cloth upon a finger, the face should be washed with clean water, and the lids should be especially cleaned.

2. After the child is separated from the mother, the face should be again washed, **WITHOUT SOAP**, giving especial attention to the lids.

3. The eyes should now be washed out with a Solution of Boracic Acid. To do this, take a pint of clean water that has been boiled and allowed to cool. Then put two teaspoonfuls of Boracic Acid in the water and stir it up with a clean spoon. Then

open the baby's eyes and flush them out with a few teaspoonfuls of this solution.

4. The lids should now be opened and two or three drops of a 2 or 1 per cent Solution of Nitrate of Silver should be carefully dropped into the eyes.

BE SURE the medicine gets INTO the eyes.

This should be done ALWAYS, EVEN in cases where there is no reason to suspect disease.

IT ALMOST SURELY PREVENTS DANGEROUS "BABY'S SORE EYES!"

5. The drops usually make the eyes a little red for a few hours, but this does no harm.

IF IT IS NOT DONE, A BLIND BABY MAY BE THE RESULT!

6. Mothers should BE SURE that this is done, EVEN if the doctor does not think it necessary.

7. Mothers should not think that breast milk, or tea leaves, or poultices, or ANYTHING ELSE, will serve the purpose. Cleanliness and the Nitrate of Silver Solution are the only things that will do; ESPECIALLY THE SILVER SOLUTION.

8. If the baby's eyes get red a few days after birth, THE BABY SHOULD BE TAKEN TO A GOOD DOCTOR AT ONCE. Or, better still, take the baby to a good eye doctor AT ONCE.

DO NOT WAIT, thinking it is "just a little cold," and hoping the eyes will get better in a day or two.

10. Do not listen to what the neighbors say. CONSULT A DOCTOR AT ONCE. DELAY MAY MEAN BLINDNESS TO THE BABY.

11. If a newly born baby has "Sore Eyes," the best place for it is IN A GOOD HOSPITAL, where it can be properly cared for. Such cases require careful treatment EVERY HALF HOUR DAY AND NIGHT. If the child is not taken to a hospital, however, TWO paid nurses, or TWO visiting nurses, should take care of the baby, day and night.

ALL THIS COULD HAVE BEEN PREVENTED IF THE SILVER SOLUTION HAD BEEN DROPPED INTO THE EYES WHEN THE BABY WAS BORN!

12. All cloths, cotton, etc., used around the baby's eyes should be INSTANTLY BURNED. Every one touching or treating the baby should keep perfectly clean. THE HANDS SHOULD ALWAYS BE WASHED IMMEDIATELY AFTER TOUCHING

THE BABY. People coming in contact with a baby having "Sore Eyes" should, if possible, be kept in a SEPARATE ROOM, away from the rest of the family.

On the first or outside page will be the following printed matter:

Babies' Sore Eyes and How to Prevent Them.

CLEANLINESS AND TWO DROPS OF THE FOLLOWING FORMULA WOULD HAVE PREVENTED THIS CHILD FROM BECOMING BLIND. (Picture of a blind child.)

Nitrate of Silver, 8 grains, or 4 grains.

Distilled water, 1 ounce.

Put 2 drops in the baby's eyes immediately after birth. The face and lids should first be cleaned with pure warm water.

THIS FORMULA CAN BE OBTAINED AT ANY DRUG STORE, AND MUST BE USED ON EVERY BABY.

Published under the auspices of the Committee on the Conservation of Vision of the Council on Health and Public Instruction of the American Medical Association.

On the back of the page could be printed the following:

These leaflets can be obtained by writing to Dr. F. R. Green, Council on Health and Public Instruction, American Medical Association, 535 N. Dearborn St., Chicago, Ill.

In order that it may be clearly seen just what has been done in the United States to materially lessen the prevalence of Ophthalmia Neonatorum, I will now give in detail the various laws concerning this disease, and afterwards draw some deductions therefrom.

NEW JERSEY.

1895.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That should one or both eyes of an infant become inflamed, swollen or reddened, or show any unnatural discharge at any time within two weeks after its birth, and no legally qualified practitioner of medicine be in attendance upon the infant at the time, it shall be the duty of the midwife, nurse, attendant or relative having charge of such infant to report the fact in writing within six hours to the local board of health of the city, township or other municipality in which the parents of the infant reside.

2. And be it enacted, That the said local board of health shall direct the parents or persons having charge of such infant suffering from such inflammation, swelling, redness or unnatural discharge

of the eyes to immediately place it in charge of a legally qualified practitioner of medicine, or in charge of the physicians of the city, township or other municipality if unable to pay for medical services.

3. And be it enacted, That every local board of health in the State of New Jersey shall furnish a copy of this act to every legally qualified practitioner of medicine, and to each person who is known to act as a midwife, or nurse, in the city, township or other municipality for which such board of health is appointed; and the secretary of state shall cause a sufficient number of copies of this act to be printed, and to supply the same to such officers for distribution.

4. And be it enacted, that any failure to comply with the provisions of this act shall be punished by a fine not to exceed two hundred dollars, or imprisonment not to exceed six months, or both, upon conviction, under prosecution proceedings to be brought by any local board of health.

5. And be it enacted, That this act shall take effect and be in force on the first day of May, one thousand eight hundred and ninety-five.

AMENDMENT.

1911.

1. The State Board of Health shall furnish, free of cost, to physicians and midwives, registered under the laws of this State, such prophylactic remedies as it may deem best for the prevention of ophthalmia neonatorum, together with such instructions as it may deem necessary for the proper administration of the same.

2. The sum of two thousand dollars is hereby appropriated for the purpose of carrying out the provisions of this act when included in the annual or supplemental appropriation bill.

3. This act shall take effect immediately.

IOWA.

1896.

Section 1. Should one or both eyes of an infant become inflamed, or swollen, or reddened at any time within two weeks after its birth, it shall be the duty of the midwife, parent, guardian, or nurse, or other persons having charge of such infant to report within six (6) hours after the discovery thereof by such person in charge of such infant to the health officer or some legally qualified practitioner of the city, town or district in which the parents of the infant reside, the fact that such inflammation, or swelling, or redness of the eyes exists.

Sec. 2. It is hereby made the duty of attending physicians or

midwives to instruct parents and nurses in regard to the provisions of this act and danger of sore eyes in infants.

Sec. 3. Any failure to comply with the provisions of this act shall be punished by a fine of not less than twenty-five dollars or more than one hundred dollars, or imprisonment in the county jail not to exceed 30 days or both.

SOUTH CAROLINA.

1896.

This is a law passed by the State Board of Health and endorsed by the State Legislature:

Should one or both eyes of an infant become reddened or inflamed at any time after birth, it shall be the duty of the midwife or nurse or person having charge of said infant to report the condition of the eyes at once to the local Board of Health of the city or town in which the parents of the infant reside. Any failure to comply with the provisions of this section shall be punishable by a fine not to exceed twenty-five dollars, or imprisonment not to exceed one month, or both. This section shall not apply to towns or cities of less than one thousand inhabitants.

MISSOURI.

1899.

Should one or both lids of either eye or of both eyes of an infant become red or swollen, or should there be any discharge from either eye or from both eyes, at any time within three weeks after its birth, it shall be the duty of the midwife, nurse or other person having charge of said infant, at once, unless for good cause shown, to report the condition of said eyes to a legally qualified practitioner of medicine.

CONNECTICUT.

1902.

Should one or both eyes of an infant become inflamed or swollen, or reddened at any time within two weeks after its birth, the midwife, nurse or attendant having charge of such infant, shall report in writing, within six hours, to the health officer or board of health of the city, town, or borough in which the parents of the infant reside, the fact that such inflammation, swelling, or redness of the eyes exists. Every person violating the provisions of this section shall be fined not more than two hundred dollars."

MAINE.

1903.

Sec. 90. If one or both eyes of an infant become reddened or inflamed at any time within four weeks after birth, the midwife,

nurse or person having charge of said infant shall report the condition of the eyes at once to some legally qualified practitioner of medicine of the city, town or district in which the parents of the infant reside. Any failure to comply with the provisions of this section shall be punishable by a fine not to exceed one hundred dollars, or imprisonment not to exceed six months.

MARYLAND.

1904.

If any time within two weeks after the birth of any infant one or both of its eyes or the eyelids be reddened, inflamed, swollen or discharging pus, the midwife, nurse or person other than a legally qualified physician, in charge of such infant, shall refrain from the application of any remedy for the same, and shall immediately report such condition to the health commissioner or to some legally qualified physician in the city, county or town wherein the infant is cared for. Any person or persons violating the provisions of this section shall on conviction be punished by a fine not to exceed one hundred dollars, or by imprisonment in jail not to exceed six months, or by both fine and imprisonment.

MASSACHUSETTS.

1905.

Section 1. Section forty-nine of chapter seventy-five of the Revised Laws is hereby amended by inserting after the word "contagion," in the ninth line, the words: Should one or both eyes of an infant become inflamed, swollen and red, and show an unnatural discharge at any time within two weeks after its birth, it shall be the duty of the nurse, relative or other attendant having charge of such infant to report in writing within six hours thereafter, to the board of health of the city or town in which the parents of the infant reside, the fact that such inflammation, swelling and redness of the eyes and unnatural discharge exist. On receipt of such report, or of notice of the same symptoms given by a physician as provided by the following section, the board of health shall take such immediate action as it may deem necessary in order that blindness may be prevented—so as to read as follows:

Section 49. A householder who knows that a person in his family or house is sick of smallpox, diphtheria, scarlet fever or any other infectious or contagious disease dangerous to the public health, shall forthwith give notice thereof to the board of health of the city or town in which he dwells. Upon the death, recovery or removal of such person, the householder shall disinfect to the satisfaction of the board such rooms of his house and articles

therein as, in the opinion of the board, have been exposed to infection or contagion. Should one or both eyes of an infant become inflamed, swollen and red, and show an unnatural discharge at any time within two weeks after its birth, it shall be the duty of the nurse, relative or other attendant having charge of such infant to report in writing within six hours thereafter, to the board of health of the city or town in which the parents of the infant reside, the fact that such inflammation, swelling and redness of the eyes and unnatural discharge exist. On receipt of such report, or of notice of the same symptoms given by a physician as provided by the following section, the board of health shall take such immediate action as it may deem necessary in order that blindness may be prevented. Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

Section 2. Section fifty of chapter seventy-five of the Revised Laws is hereby amended by inserting after the word "health," in the third line, the words:--or if one or both eyes of an infant whom or whose mother he is called to visit become inflamed, swollen and red, and show an unnatural discharge within two weeks after the birth of such infant--so as to read as follows: Section 50. If a person knows that a person whom he is called to visit is infected with smallpox, diphtheria, scarlet fever or any other disease dangerous to the public health, or if one or both eyes of an infant whom or whose mother he is called to visit become inflamed, swollen and red, and show an unnatural discharge within two weeks after the birth of such infant, he shall immediately give notice thereof in writing over his own signature to the selectmen or board of health of the town; and if he refuses or neglects to give such notice, he shall forfeit not less than fifty nor more than two hundred dollars for each offense.

MASSACHUSETTS.

1912.

Section 1. Section seventeen of chapter twenty-nine of the Revised Laws is hereby amended by inserting after the word "explanations," in the sixth line, the words:--including an explanation that chapter two hundred and fifty-one of the acts of the year nineteen hundred and five requires physicians, nurses, relatives or other attendants to report immediately to the local board of health every child one or both of whose eyes become inflamed, swollen and red and show an unnatural discharge within two weeks after birth--so as to read as follows: Section 17. The secretary of the commonwealth shall, at the expense of the commonwealth,

prepare and furnish to the clerks and boards of health of cities and towns, and to the superintendent of the state hospital, record books, books for indexes thereto, forms for returns, on paper of uniform size, and any necessary instructions and explanations, including an explanation that chapter two hundred and fifty-one of the acts of the year nineteen hundred and five requires physicians, nurses, relatives or other attendants to report immediately to the local board of health every child one or both of whose eyes became inflamed, swollen and red and show an unnatural discharge within two weeks after birth. City and town clerks shall distribute the blank forms as the secretary shall direct. A city or town may provide such books and forms if they conform to those prepared by the secretary.

Section 2. This act shall take effect upon its passage.

ACTS OF 1910, 458.

Section 1. The state board of health shall furnish free of cost, to physicians registered under the laws of the commonwealth, such prophylactic remedy as it may deem best for the prevention of ophthalmia neonatorum.

Section 2. To carry out the provisions of this act there may be expended annually from the treasury of the commonwealth a sum not exceeding twenty-five hundred dollars.

VERMONT.

1910.

Section 1. The State Board of Health is hereby empowered to make such rules and regulations as may be deemed necessary for the prevention of blindness caused by the disease known as ophthalmia neonatorum, and may furnish at public expense such prophylactic outfits as are necessary for the use of physicians.

Sec. 2. Any physician who fails to comply with the regulations established under Section 1 of this Act shall be fined ten dollars for each offense, and it shall be the duty of the state's attorney to prosecute in all cases on complaint of a local board of health.

Sec. 3. This act shall take effect from its passage.

The following is the reading of the rule of the State Board of Health of Vermont, which is virtually a law, through the endorsement of the Legislature:

Rule 29. Ophthalmia Neonatorum: Report and Treatment. All cases of ophthalmia neonatorum must be reported by the health officer to the secretary of the State Board of Health.

Should one or both eyes of an infant become inflamed, swollen and red, and have an unnatural discharge at any time within two

weeks after its birth, the nurse, relative, or other person having charge of such infant shall report in writing, within six hours thereafter, to the local health officer of the town or city in which the parents of the infant reside, the fact that such inflammation, swelling and redness exists. Such health officer shall take such immediate action as may be necessary in order that the blindness may be prevented, and shall see that all physicians in his territory are supplied with nitrate of silver solution, furnished by the State Board of Health.

WASHINGTON, D. C.

Ordered: That the following regulations for the prevention of blindness in newly-born infants in the District of Columbia are hereby made, to be effective on and after September 27, 1911:

Section 1. Whenever any midwife, or any person other than a registered physician, is in attendance upon any case of childbirth, and the newly-born child has inflammation of the eyes, attended by a discharge therefrom, said midwife or other person shall report that fact in writing to the health officer, so that said report shall be received by the health officer within the six hours after the existence of said discharge becomes known to said midwife.

Sec. 2. No midwife or person other than a registered physician shall treat any case of inflammation of the eyes of a newly-born child attended by a discharge therefrom, for any period longer than may be absolutely necessary to obtain the services of a registered physician.

Sec. 3. Any person who violates any of the provisions of these regulations shall, upon conviction thereof in the police court, be punished by a fine not exceeding forty dollars. Prosecutions for violations of the provisions of these regulations shall be on information filed in the police court by the corporation counsel of the District of Columbia or by any of his assistants.

Official copy furnished Health Department.

By order:

WM. TINDALL, Secretary.

NORTH DAKOTA.

1911.

1. Duty of Physician, Midwife or Other Attendant: That whenever a child is born, the physician, midwife or any other person who is present and engaged as professional attendant, shall report said birth on a blank supplied by the State Board of Health to the health officer having jurisdiction, within thirty-six hours after such birth occurs. Said birth certificate in addition to other data ordered by the State Board of Health shall have upon it this

question: "Were precautions taken against ophthalmia neonatorum?" And it shall be a violation of this act for any physician or midwife in professional attendance at a birth to fail to report same as herein commanded or to omit answering said question: "Were precautions taken against ophthalmia neonatorum?" All bills or charges for professional services rendered at a birth shall be unlawful if report is not made as herein commanded.

2. Same. It shall be the duty of all physicians or midwives in professional attendance upon a birth to always carefully examine the eyes of the infant, and if there is the least reason for suspecting disease of the eyes, then said physician or midwife in professional attendance shall apply such prophylactic treatment as may be recognized as efficient in medical science.

3. Same. Exception. Should one or both eyes of an infant become inflamed, swollen or reddened, or show any unnatural discharge or secretion at any time within two weeks after its birth, and no legally qualified physician is in attendance upon the infant at that time, it shall be the duty of the parents, or in their absence, whoever caring for said infant, to report the fact in writing within six hours after discovery, to the health officer having jurisdiction. Provided, said report to said health officer need not be made from recognized hospitals.

4. Duty of Health Officer. Upon receipt of a report as set forth in section 3 of this act, health officers shall direct the parents or whoever has charge of such infant suffering from such inflammation, swelling, redness or unnatural secretion or discharge of the eyes, to immediately place it in charge of a legally qualified physician or in charge of the city or township physician if unable to pay for medical services.

5. Penalty. Any violation of the provisions of this act shall be punished by a fine of not less than ten dollars nor more than fifty dollars.

6. Emergency. Whereas, about thirty per centum of all blindness is caused by the preventable disease known as ophthalmia neonatorum; and this disease may always be prevented, and almost always cured in its incipency, and its existence is generally due to ignorant or careless management; and, whereas, an emergency exists, therefore this law shall be in force after its passage and approval.

UTAH.

1911.

Section 1. It shall be the duty of every physician and every midwife attending a case of childbirth to report to the local Board of Health every case where the newly-born child has inflammation of the eyes attended by a discharge therefrom. Such report to be made within six hours after the appearance of such disease. It shall be the duty of such physician or midwife to treat the eyes of the child so afflicted in accordance with the rules of the State Board of Health. Every physician and midwife failing to comply with the provisions of this act shall be guilty of a misdemeanor.

In conformity with the foregoing enactment, the State Board of Health has adopted the following rules to be of general application throughout the State:

Rule 1. No midwife shall treat any case of ophthalmia neonatorum or inflammation of the eyes of a newly-born infant unless it is impossible to secure the services of a physician, provided that in case the services of a physician shall be secured, a midwife may begin and carry out treatment until his arrival.

Rule 2. In the event that the services of a physician cannot be secured, midwives are authorized to use and apply the following treatment:

Immediately upon the discovery in a newly born infant of an inflammation of the eyes, attended by a mattery discharge therefrom, five (5) drops of a twenty per cent (20%) solution of argyrol shall be dropped into the eyes with an eye dropper, after having separated the lids with the thumb and forefinger; and this treatment shall be repeated every hour for four (4) days and longer if a discharge is still present. After four (4) days if the discharge has ceased, the treatment may be reduced in frequency to intervals of four (4) times daily for several days, until it is shown that the discharge is not liable to return.

Before each application of the argyrol solution, the eyes should be thoroughly irrigated and cleansed by dropping or pouring into them a one per cent (1%) solution of chloride of sodium (common salt) or a saturated solution of boric acid. For practical purposes the salt solution may be prepared by dissolving one teaspoonful of salt in a pint of water.

Note—The person treating the eyes should exercise the utmost care to avoid touching the cornea (eyeball), as there is great danger of causing serious injury thereby. In applying the treatment the child should be placed flat upon its back and the head

so held that the solution will not quickly escape from the eyes.

Inasmuch as the secretions from the eyes are very infectious, care should be taken to destroy all articles contaminated by them, and to sterilize the hands after each treatment.

The treatment above described is considered by eminent authorities to be entirely effective and safer than solutions of nitrate of silver; and it is recommended to all physicians in general practice.

Solutions of argyrol quickly deteriorate and should be freshly prepared for every case. Upon request the State Board of Health will furnish materials for preparing fresh solutions.

It is recommended that physicians and midwives shall make one application of the argyrol solution at the birth of every child as a prophylactic or preventative treatment, after having first thoroughly wiped the eyes with absorbent cotton or soft clean linen and bathed them with a saturated solution of boric acid.

Rule 3. On receipt of notification under this act, it shall be the duty of the local health officer to immediately investigate the case and satisfy himself that the rules of the State Board of Health are properly complied with. He shall also immediately report the case to the State Board of Health by telephone or telegraph.

INDIANA.

1911.

Whereas, About thirty per centum of all blindness is caused by the preventable disease known as ophthalmia neonatorum; and

Whereas, This disease may always be prevented, and almost always cured in its incipency, and its existence is generally due to ignorant or careless management: therefore,

Ophthalmia Neonatorum—Birth Return.

Section 1. Be it enacted by the General Assembly of the State of Indiana, That whenever a child is born, the physician, midwife or any other person who is present and engaged as professional attendant, shall report said birth on a blank supplied by the State Board of Health to the health officer having jurisdiction, within thirty-six hours after such birth occurs. Said birth certificate in addition to other data ordered by the State Board of Health shall have upon it this question: "Were precautions taken against ophthalmia neonatorum?" And it shall be a violation of this act for any physician or midwife in professional attendance at a birth to fail to report same as herein commanded or to omit answering said question: Were precautions taken against ophthalmia neonatorum? All bills or charges for professional services

rendered at a birth shall be unlawful if report is not made as herein commanded.

OPHTHALMIA NEONATORUM—BIRTH RETURN.

Physicians and Midwives—Examination of Eyes.

Sec. 2. It shall be the duty of all physicians and midwives in professional attendance upon a birth to always carefully examine the eyes of the infant, and if there is the least reason for suspecting infection of one or both eyes then said physician or midwife in professional attendance shall apply such prophylactic treatment as may be recognized as efficient in medical science.

Parents or Attendant—Report.

Sec. 3. Should one or both eyes of an infant become inflamed, swollen or reddened, or show any unnatural discharge or secretion at any time within two weeks after its birth, and no legally qualified physician is in attendance upon the infant at that time, it shall be the duty of its parents, or in their absence, whoever is caring for said infant, to report the fact in writing within six hours after discovery to the health officer having jurisdiction. Provided, said report to said health officer need not be made from recognized hospitals.

Health Officer—Duty.

Sec. 4. Upon receipt of a report as set forth in section 3 of this act, health officers shall direct the parents or whoever has charge of such infant suffering from such inflammation, swelling, redness or unnatural secretion or discharge of the eyes, to immediately place it in charge of a legally qualified physician or in charge of the city or township physician if unable to pay for medical service.

Penalty.

Sec. 5. Any violation of the provisions of this act shall be punished by a fine of not less than ten dollars nor more than fifty dollars.

Repeal.

Sec. 6. All parts of laws in conflict with this act are repealed.

TEXAS.

1911.

This is a law of the State Board of Health, transformed into a State law by act of Legislature.

Whenever any nurse, midwife or other person not a legally qualified practitioner of medicine shall notice inflammation of the eyes or redness of the lids in a new-born child under his or her care, it shall be the duty of such person to report the same to the local

health authority, or in his absence any reputable physician, within twelve hours of the time the disease is first noticed.

MINNESOTA.

1913.

Law of State Board of Health endorsed by State Legislature.

It shall be the duty of any midwife, nurse, parent or other person having charge of an infant whose eyes become inflamed, reddened or diseased at any time within two weeks after birth, to report the facts of such affection in writing to the local health officer within twelve hours after ascertaining the facts.

Upon receipt of such report the health officer shall investigate, and unless the case is under the care of a competent physician, he shall give specific written instructions for the immediate medical treatment of the disease and for the precautions to be taken to prevent its spread to other persons.

MICHIGAN.

1913.

Section 1. It shall be the duty of the State Board of Health to officially name and approve a prophylaxis, to be used in treating the eyes of newly born infants, and it shall be the duty of the board to publish instructions for using the same.

Sec. 2. It shall be the duty of any physician, nurse or midwife who shall assist and be in charge at the birth of any infant, or have care of the same after birth, to treat the eyes of the infant with a prophylaxis approved by the State Board of Health; and such treatment shall be given as soon as practicable after the birth of the infant and always within one hour; and if any redness, swelling, inflammation or gathering of pus shall appear in the eyes of such infant or upon the lids or about the eyes, within two weeks after birth, then any nurse, midwife or other person having care of the infant shall report the same to some competent practicing physician within six hours of its discovery.

Sec. 3. Any failure to comply with the provisions of section 2 of this act shall be punishable by a fine not to exceed one hundred dollars or imprisonment in the county jail not to exceed six months, or both such fine and imprisonment in the discretion of the court.

In compliance with the law quoted above, the State Board of Health of Michigan has named and approved two per cent silver nitrate solution as a prophylactic to be used in treating the eyes of newly born infants. The infant's eyes are to be carefully washed with a physiological salt solution, or with boric acid solution, after

which one drop of two per cent silver nitrate solution is to be instilled in each eye.

PENNSYLVANIA.

1913.

Whereas, Statistics show fully thirty (30) per cent of cases of blindness to be due to inflammation of the eyes appearing a few days after birth; and, whereas, experience has proved that this inflammation can be cured, and the eyesight saved in the majority of cases, if the proper treatment be instituted at an early stage of the disease.

Section 1. Be it enacted, etc., That every physician practicing in any portion of this commonwealth who shall treat or examine any infant suffering from ophthalmia neonatorum (inflammation of the eyes of infants) shall, if the said case be located in a township of the first class, a borough, or a city, forthwith make a report in writing to the health authorities of said township, city, or borough; and, if said case shall be located in a township of the second class, or a city, borough, or township of the first class, not having a board of health, or body acting as such, to the State Department of Health, upon blanks supplied for that purpose; in which report he shall, under his or her own signature, state the name of the disease, and the name, age, sex, color, and nativity of the infant suffering therefrom, together with the street and house number of the premises in which said infant may be located, or otherwise sufficiently designate the same, the date of the onset of the disease, the name and occupation of the householder in whose family the disease may have occurred; together with such other information relating to said case as may be required by said health authorities and the State Department of Health.

Section 2. That any midwife, or nurse, or other person having the care of an infant, whose eyes have become inflamed or swollen or reddened at any time within two weeks after birth, shall report the same, in writing, to the health authorities of the city, borough, or township of the first class in which the case may be located; or, if it be located in a township of the second class, or a city, borough, or township of the first class, not having a board of health, or body acting as such, the State Department of Health, within six hours after the discovery thereof; giving the name of the infant, the names of the parents or guardians, and the street and number of their residence, or otherwise sufficiently designate the same; together with the fact that such inflammation or swelling or redness exists, and shall make a similar report in writing

to some regularly qualified practicing physician of the district.

Section 3. That it shall be the duty of the said health authorities or the State Department of Health, immediately upon receipt of a written report from a midwife or a nurse, or person other than a practicing physician, to notify the parents or guardian, or other person having charge of the infant, of the danger to the eyes or eye of said infant by reason of any neglect of proper treatment of the same.

Section 4. Every physician in this commonwealth who shall treat any infant's eyes for ophthalmia neonatorum (inflammation of the eyes of an infant) shall, within forty-eight hours after said physician ceases treatment of or attendance upon such case of ophthalmia neonatorum, report to the Commissioner of Health of the commonwealth of Pennsylvania that said physician has treated a certain case of ophthalmia neonatorum, giving full information as required in section one of this act, stating that he has ceased treatment of or attendance upon said case, and what was condition of infant's eyes when physician ceased treatment of or attendance upon said case of ophthalmia neonatorum.

Section 5. Every health officer shall furnish a copy of this act to every person who is known to him to act as a midwife or nurse in the city, borough, or township for which he is health officer; and the Commissioner of Health of this commonwealth of Pennsylvania shall cause a sufficient number of copies of this act to be printed and supplied to the health officers.

Section 6. Any physician, midwife, nurse, or other person who shall violate any of the provisions of this act, shall, upon conviction thereof in a summary proceeding before any justice of the peace or alderman of the county wherein such offense was committed, be sentenced to pay a fine of not less than twenty or more than one hundred (\$100) dollars, to be paid to the use of the said county, and the costs of prosecution, or to be imprisoned in the county jail for a period of not less than ten (10) or more than thirty (30) days, or both, at the discretion of the court.

Section 7. An "Act for the prevention of blindness; imposing a duty upon all midwives, nurses, or other persons having the care of infants, and also upon the health officers, and fixing penalties for neglect thereof," approved the twenty-sixth day of June, Anno Domini one thousand eight hundred and ninety-five, be and the same is hereby repealed.

IDAHO.

1913.

Should one or both eyes of an infant become inflamed or swollen or reddened, or should any pus or secretion form in the eyes or upon the edge of the lid, at any time within two weeks after birth, it shall be the duty of any midwife, nurse or other person having charge of such infant, to report, within six hours after discovery of such inflammation, redness or formation of pus or secretion, to the local health officers, or to some legally qualified practitioner of medicine in the district in which such case shall occur, the fact that such inflammation, swelling or redness or accumulation in the eye exists. Any failure to comply with the provisions of this section shall be punished by a fine of not to exceed one hundred dollars, or imprisonment not to exceed ninety days, or by both fine and imprisonment in the discretion of the court.

Law of State Board of Health.

Rule XXXIII. Any physician, midwife, nurse or other person in attendance on a confinement case, shall within two hours after the birth of a child use one of the following prophylactic treatments for the prevention of infantile blindness or ophthalmia neonatorum:

1. Two drops of a one per cent fresh solution of nitrate of silver to be dropped in each eye after the eyelids have been opened.

2. Two drops of a 25 per cent solution of argyrol or two drops of a 5 per cent solution of protargol should be dropped in each eye in the same manner as when silver nitrate is used. (Nitrate of silver is to be preferred in all cases. When argyrol or protargol are used the solution must be absolutely fresh.)

ARKANSAS.

1913.

This is a ruling of the State Board of Health, endorsed by the State Legislature:

84. Should one or both eyes of an infant become inflamed or swollen or reddened, or should any pus or secretion form in the eyes or upon the edge of the lids at any time, it shall be the duty of the midwife, nurse or other person having charge of such infant, to report, within six hours, to the local health officer, or to some legally qualified practitioner of medicine in the community in which such case shall occur the fact that such inflammation, swelling or redness or accumulation in the eyes exists.

85. It shall be the duty of said health officer or physician, immediately upon receipt of the report, to notify the parents or

person having charge of said infant of the danger to the eyes of said infant by reason of any neglect of proper treatment, and he shall give directions for the proper treatment thereof.

WISCONSIN.

1913.

For the prevention of ophthalmia neonatorum, or blindness in the newborn babe, the State Board of Health and Vital Statistics shall annually cause to be prepared and put up in proper containers a one per cent solution of nitrate of silver, and shall also prepare instruction for its use. Said containers and instructions shall be distributed by said board, free of all charges, to all local health officers within the state in quantities sufficient to enable them to, and they shall, deliver to each physician and midwife one container and one copy of the instructions. It shall be the duty of the attending physician or midwife in each confinement case to use said solution as directed in said instructions.

1. In any confinement case not attended by a physician or midwife, if one of both eyes of an infant become inflamed, swollen and red, and show an unnatural discharge at any time within two weeks after its birth, the nurse, parents or other attendant having charge of such infant shall report in writing, within six hours thereafter, to the health officer of the city, village or town in which the parents of the infant reside, the fact that such inflammation, swelling, redness, or unnatural discharge exists.

2. *Health Officer—Duty.* On receipt of such report the health officer shall immediately give to the parents or persons having charge of such infant a warning of the dangers to the eye or eyes of said infant, and a copy of the instructions prepared pursuant to section 1409a-1 of the statutes; and shall employ at the expense of the said city, village, or town, a competent physician to examine the case reported and to provide such treatment as may be prescribed by the State Board of Health and Vital Statistics in its instructions.

Section 1409a-3. *Midwife.* Any woman accustomed to attending confinement cases shall be subject to the same penalty for violation as physicians or nurses.

Section 1409a-4. *Penalty for Violation.* Any person who violates, neglects or refuses to observe the provisions of section 1409a-1, 1409a-2 or 1409a-3 shall be punished by a fine of not more than one hundred dollars for each offense.

WISCONSIN.

Proceedings of the State Board of Health, 1909.

Section 1409a-2. It shall be the duty of the attending physician, midwife, nurse or other person in attendance on a confinement case, to use such prophylactic treatment for the prevention of blindness among new-born children as the State Board of Health and Vital Statistics in its rules and regulations may deem necessary.

In compliance with chapter 59, laws of 1909, pertaining to the prevention of inflammation of the eyes and blindness of the new-born babe by a disease called ophthalmia neonatorum and specifically in compliance with section 1409a-2.

The State Board of Health of Wisconsin hereby determines that in order to prevent the development of ophthalmia neonatorum, two drops of a one per cent fresh solution of nitrate of silver should be used in each eye of every new-born babe, and we hereby, in compliance with this chapter, recommend its use.

Should one or both eyes of an infant become inflamed, swollen and red, and show an unnatural discharge at any time within two weeks after its birth, the nurse, parents, or other person having charge of such infant shall report in writing, within six hours thereafter, to the Board of Health of the city, incorporated village or town in which the parents of the infant reside, the fact that such inflammation, swelling, redness, or unnatural discharge exists. (The local health officers should supply physicians, midwives, nurses and other persons required to report cases of ophthalmia neonatorum with suitable blanks. All cases of this disease should be reported the same as scarlet fever, diphtheria or other dangerous contagious disease.)

On receipt of such report the health officer shall inform the attending physician of the conditions complained of, or if there is no physician in attendance, the health officer shall then employ, at the expense of the town, incorporated village or city, a competent physician to examine the case reported, and the physician shall provide proper treatment or such as recommended in the rules and regulations adopted by the State Board of Health and Vital Statistics.

The health officer shall immediately upon the receipt of the written report herein provided for, if no physician was in charge, notify the parents or person having charge of said infant, of the dangers to the eye, or eyes of said infant, and he shall also enclose

to the parents, or person having charge of the child. directions for the proper treatment thereof.

Section 1409a-3. Any woman accustomed to attend confinement cases shall be subject to the same penalty for violation as physicians or nurses.

Section 1409a-4. Any person who violates, neglects, or refuses to observe the provisions of this act shall be punished by a fine of not more than one hundred dollars for each offense.

At the regular semi-annual meeting of the state board of health, held on June 27, 1912, the following resolution was unanimously adopted:

"The Secretary of the board is hereby requested to instruct all local boards of health to immediately prosecute all physicians, midwives, or other persons being in charge of new born infants who fail or neglect to report any case of inflammation of the eyes, or ophthalmia neonatorum, in accordance with the law granting to the state board of health authority for enforcement as defined in Chapter 59, Laws of 1909."

The report of each birth which must be filled out and filed by the physician or midwife in attendance provides space for reporting whether or not a prophylactic was used to prevent ophthalmia neonatorum.

The new form of birth record will require the following information:

1. What preventative for ophthalmia neonatorum did you use?
2. If none, why?

These questions should be fully answered in every case.

There is in Wisconsin an appropriation of \$1,500.00 for the free distribution of nitrate of silver solution.

RHODE ISLAND.

1914.

Sec. 25. "Should any midwife or nurse, or person acting as nurse, having charge of an infant in this state, notice that one or both eyes of such infant are inflamed or has swelling or reddening of lids and an unnatural discharge or the eyes are reddened at any time within two weeks after its birth, it shall be the duty of such midwife or nurse, so having charge of such infant, to report the fact in writing within six hours to the health officer, or some qualified practitioner of medicine, of the city or town in which the parents of the infant reside. Every practitioner of medicine, attending the birth of such an infant, must treat the eyes of such infant with a prophylactic remedy for the prevention of ophthalmia neonatorum."

Sec. 26. Every health officer shall furnish a copy of this act to each person who is known to him to act as midwife or nurse in the city or town for which such health officer is appointed, and the Secretary of State shall cause a sufficient number of copies of this act to be printed, and supply the same to the health officers on application. The State Board of Health shall furnish free of cost to all persons authorized to practice medicine in this state such prophylactic remedy as it may deem best for the prevention of ophthalmia neonatorum.

Sec. 27. Every person who shall fail to comply with the provisions of this act shall be fined not exceeding one hundred dollars, or imprisoned not exceeding six months, or both.

KENTUCKY.

1914.

Whereas, trachoma and ophthalmia in the new-born, both highly infectious eye diseases, which usually result in blindness unless promptly recognized and treated, now exist in widely separated counties and sections and everywhere show a tendency to break over official control and become widespread; and,

Whereas, so large a per cent of those who now have these diseases, or who are exposed to the contagion of either of them, will become charges upon public charity as to make systematic precautions against their further spread matters of great financial as well as humanitarian importance. Now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. That it shall be the duty of the County Board of Health of each county, acting in co-operation with the County Medical Society and State Board of Health, to arrange for an annual course of instruction or school for the physicians, midwives and nurses of such county to teach the importance, and the latest and best methods for the early recognition and treatment of, the dangers from, and the precaution to be used against, the infection and contagion to all who come in contact with cases of trachoma and ophthalmia or any other disease of the eyes of the new-born, or with any towel, utensil or other thing used by or for them; and the importance and imperative duty of at once reporting all cases of such diseases to the county or city health authorities, as may be, and of keeping a true record of all such cases.

2. That it shall be the duty of the State Board of Health to secure the co-operation and assistance of the national health authorities in dealing with these diseases, and to prepare and issue

bulletins or other literature containing professional and popular information as to the prevalence and infectious character of such eye diseases, and the precautions to be used against such infections; and to furnish formulæ and other information for the use of physicians and midwives in the management and treatment of such diseases. It shall be the duty of the county boards of health to furnish to physicians and midwives the simple drugs to be used for the indigent in preventing and in treating such diseases.

3. That it shall be the duty of every physician and of every midwife, who, while in attendance upon a baby under thirty days old or upon its mother, has observed ophthalmia in the new-born baby, and the duty of the head of a family and of a trained nurse in a family in which there is a baby under thirty days old and no physician or midwife in attendance, and the duty of the trained nurse and of the head of any institution in which there is a baby under thirty days old and no physician or midwife in attendance upon it or its mother, to report the case of ophthalmia in the new-born within six hours after observing it to the City Board of Health, if the case shall have occurred in a city then having a City Board of Health, or if there be no City Board of Health, or if the case shall have occurred outside a city, to the County Board of Health within twenty-four hours after observation. And it shall be the duty of every physician to report each case of trachoma so diagnosed by him as attending or examining physician within five days after such diagnosis. And any physician, midwife, nurse, or head of family who fails to make the report required by this act, shall upon conviction, be fined not more than one hundred dollars; and persistent failure or refusal on the part of a physician, midwife or nurse to make such report or to take the necessary precautions to prevent the spread of such diseases shall be a proper ground for the revocation of the right to practice, after due notice and hearing, as now provided by law for the revocation of certificates to practice medicine in this commonwealth.

4. That "Ophthalmia in the New-born" shall be understood to be "any inflammation, swelling and redness of either eye, or of both eyes, either apart from or together with any unnatural discharge from the eye, or eyes, of a baby."

5. That all laws in conflict with this act are hereby repealed.

NEW YORK.

1914.

There is no actual primary legislative law in New York concerning ophthalmia neonatorum. The Public Health Council has.

however, issued certain regulations in its sanitary code, having a bearing on this subject. The regulations of the Public Health Council are endorsed by the State Legislature, and virtually become laws. In chapter II of the Sanitary Code, Ophthalmia Neonatorum is classed as a "Communicable Disease," and comes under the requirements of Regulations 2 and 3 as follows:

Regulation 2. Reporting cases of communicable disease by physicians. It shall be the duty of every physician to report to the local health officer, within whose jurisdiction such patient is, the full name, age and address of every person affected with a communicable disease, together with the name of the disease, within twenty-four hours from the time when the case is first seen by him. Such report shall be by telephone or telegram, when practicable, and shall be made in writing.

Regulation 3. Reporting cases of communicable disease in institutions. It shall be the duty of the superintendent or person in charge of every hospital, other institution, or dispensary, to report to the local health officer, within whose jurisdiction any such hospital, other institution, or dispensary is located, the full name, age and address of every person under his charge affected with a communicable disease, together with the name of the disease, within twenty-four hours from the time when the case first develops or is first admitted to such hospital, other institution, or dispensary. Such report shall be by telephone or telegram, when practicable, and shall also be made in writing.

LOUISIANA.

1914.

Section 1. Be it enacted by the General Assembly of the State of Louisiana, that any condition of the eye or eyes, of any infant shall, independent of the nature of the infection, be known as ophthalmia neonatorum, in which there is any inflammation, swelling or redness in either one or both eyes of any such infant, either apart from or together with any unnatural discharge from the eye, or eyes, of any such infant at any time within two weeks after the birth of such infant.

Duties of Physicians, Midwives, Obstetricians, Etc.

Sec. 2. Be it further enacted, etc., That it shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital of any nature, parent, relative, and any person, or persons, attendant upon, or assisting in any way whatsoever any woman at childbirth, or attendant upon, or assisting in any way whatsoever any infant, or the mother of any infant, at any

time within two weeks after childbirth, knowing the condition defined and described in Section 1 of this Act to exist, and within six hours thereafter, to report such fact, as the State Board of Health shall direct, to the local health officer of the parish, city, town, village, or whatever other political division there may be, within which the mother of any such infant may reside.

Duties of Health Officer.

Sec. 3. Be it further enacted, etc., That it shall be the duty of the local health officer:

1. To investigate each case as filed with him in pursuance with this law, and any other such case as may come to his attention.

2. To report all cases of ophthalmia neonatorum and the result of all such investigation as he shall make, as the State Board of Health shall direct.

3. To conform to such other rules and regulations as the State Board of Health shall promulgate for his further guidance.

Duties of the Louisiana State Board of Health.

Sec. 4. Be it further enacted, etc., That it shall be the duty of the Louisiana State Board of Health:

1. To enforce the provisions of this Act.

2. To promulgate such rules and regulations as shall, under this Act, be necessary for the purpose of this Act, and such as the State Board of Health may deem necessary for the further and proper guidance of local health officers, etc.

3. To provide for the gratuitous distribution of a scientific prophylactic for ophthalmia neonatorum, together with proper directions for the use and administration thereof, to all physicians, midwives and the like, as may be engaged in the practice of obstetrics or assisting at childbirth.

4. To print and publish such further advice and information concerning the danger of ophthalmia neonatorum and the necessity for prompt and effective treatment thereof, as may be deemed fit.

5. To furnish copies of this law to all physicians, midwives, and the like, as may be engaged in the practice of obstetrics, or assisting at childbirth.

6. To keep a proper record of any and all cases of ophthalmia neonatorum as shall be filed in their office in pursuance with this law, and as may come to their attention in any way, and to constitute such records a part of the annual report to the Government and the Legislature.

7. To report any and all violations of this act as may come to their attention to the prosecuting attorney for the district wherein said misdemeanor may have been committed, and to assist said official in any way possible, such as by securing necessary evidence, etc.

Duties of Maternity Homes, Hospitals, Infirmaries, Physicians, Etc.

Sec. 5. Be it further enacted, etc., That it shall be the duty of all maternity homes and all hospitals, etc., to maintain such records of cases of ophthalmia neonatorum as the State Board of Health shall direct. It shall be the duty of any and all physicians, midwives, and the like, in addition to reporting as hereinbefore enacted, to advise, prescribe and employ, in the treatment of all cases of ophthalmia neonatorum, such prophylactics as the State Board of Health shall direct.

Penalty.

Sec. 6. Be it further enacted, etc., That the failure of any and all physicians, midwives, etc., as hereinabove set forth, to report as herein prescribed, or the failure of any hospital to report as herein enacted, or the failure of any licensed physician to apply a proper scientific prophylactic, or the neglect or failure of any midwife, or the like, to apply a proper prophylactic directed and prescribed by the orders of the State Board of Health, or the Sanitary Code, in all cases of ophthalmia neonatorum, as herein prescribed, and under such circumstances as are herein set forth, or any or all of such violations, as the case may be, shall constitute a misdemeanor under this Act. Any person accused of a misdemeanor under this Act shall, upon conviction thereof, be fined, for the first offense, not to exceed \$50.00; for a second offense not to exceed \$100.00; and for a third offense and thereafter not to exceed \$200.00 for each violation; and if the accused be a physician, midwife or the like, such person shall in the discretion of the court, suffer a revocation of license, or both fine and revocation, as the court may see fit; and if the accused be a maternity home or the like, duly incorporated under the laws of the State, the court may in its discretion order a revocation of its charter, and any collusion between any official and any person, or between any others herein named, to misstate or conceal any facts which, under this Act, are essential to report correctly, shall likewise constitute a misdemeanor, and the accused shall, upon conviction, suffer a penalty such as hereinbefore enumerated and enacted. The act of the agent in the scope of his employment shall be deemed the

act of the principal. Any and all cases of ophthalmia neonatorum, or the resultant blindness therefrom, on which the accused may have been in attendance, as hereinbefore set forth, shall be taken as prima facie evidence of knowledge on the part of the accused. It shall be the duty of the State's attorney, for the proper district, to prosecute for all misdemeanors as herein prescribed.

Appropriation and Dedication of Fines for Carrying Into Effect the Provisions of This Act.

Sec. 7. Be it further enacted, etc., That the sum of five hundred dollars annually or as much thereof as may be necessary, be, and the same is hereby, set aside from, and payable out of, the general fund, upon the warrant of the president and secretary of the Louisiana State Board of Health for the use of the State Board of Health in enforcing and carrying out the provisions of this Act. Any and all necessary and legitimate expenses that may be incurred in prosecuting a case under this act shall, upon a proper showing, be met by the State Board of Health out of this appropriation. In addition thereto all fines and penalties recovered hereunder shall be paid into the State treasury and shall constitute a special fund for the uses and purposes of the State Board of Health as herein enacted.

Sec. 8. Be it further enacted, etc., That all laws, or parts of laws, in conflict herewith are hereby repealed .

OUHO.

1915.

Section 1. Any inflammation, swelling or redness in either one or both eyes of any infant, either apart from or together with any unnatural discharge from the eye or eyes of such infant, independent of the nature of the infection, if any, occurring any time within two weeks after the birth of such infant, shall be known as "inflammation of the eyes of the new-born."

Section 2. It shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital of any nature: parent, relative and any persons attendant on or assisting in any way whatsoever, any infant or the mother of any infant at childbirth or any time, within two weeks after childbirth, knowing the condition, hereinabove defined, to exist, within six hours thereafter, to report such fact, as the State Board of Health shall direct, to the local health officer of the city, town, village or whatever other political division there may be, within which the infant or the mother of any such infant may reside. For such services the

attending physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital shall receive from the State treasurer a fee of fifty cents.

Section 3. It shall be the duty of the local health officer:

1. To investigate or to have investigated, each case as filed with him in pursuance with the law, and any other such case as may come to his attention.

2. To report all cases of inflammation of the eyes of the new-born and the result of all such investigation as the State Board of Health shall direct.

3. To conform to such other rules and regulations as the State Board of Health shall promulgate for his further guidance.

Section 4. It shall be the duty of the State Board of Health:

1. To enforce the provisions of this Act.

2. To promulgate such rules and regulations as shall, under this Act, be necessary for the purpose of this Act, and such as the State Board of Health may deem necessary for the further and proper guidance of local health officers.

3. To provide for the gratuitous distribution of a scientific prophylactic for inflammation of the eyes of the new-born, together with proper directions for the use and administration thereof, to all physicians and midwives as may be engaged in the practice of obstetrics or assisting at childbirth.

4. To provide, if necessary, daily inspection and prompt and gratuitous treatment to any infant whose eyes are infected with inflammation of the eyes, provided further that the State Board of Health, if necessary, shall defray the expense of such treatment from such sum as may be appropriated for its use.

5. To publish and promulgate such further advice and information concerning the dangers of inflammation of the eyes of the new-born, and the necessity for prompt and effective treatment.

6. To furnish copies of this law to all physicians and midwives as may be engaged in the practice of obstetrics or assisting at childbirth.

7. To keep a proper record of any and all cases of inflammation of the eyes of the new-born, as shall be filed in the office of the State Board of Health, in pursuance with this law and as may come to their attention in any way, and to constitute such records a part of the annual report to the Governor and the Legislature.

8. To report any and all violations of this Act as may come to its attention, to the State Board of Medical Registration and

Examination and also to the local police or county prosecutor in the county wherein said misdemeanor may have been committed, and to assist said official in every way possible, such as by securing necessary evidence.

Section 5. It shall be the duty of physicians, midwives, or other persons in attendance upon a case of childbirth in a maternity home, hospital, public or charitable institution, in every infant immediately after birth, to use some prophylactic against inflammation of the eyes of the new-born and to make record of the prophylactic used. It shall also be the duty of such institution to maintain such records of cases of inflammation of the eyes of the new-born as the State Board of Health shall direct.

Section 6. It shall be the duty of a midwife in every case of childbirth under her care, immediately after birth, to use such prophylactic against inflammation of the eyes of the new-born as the State Board of Health requires. Whoever being a physician, surgeon, midwife, obstetrician, nurse, manager or person in charge of a maternity home or hospital, parent, relative or person attendant upon or assisting at the birth of any infant violates any of the provisions of this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof be fined in a sum not less than fifty dollars nor more than one hundred dollars, and for each second or subsequent offense shall be fined not less than one hundred dollars nor more than three hundred dollars. It shall be the duty of the prosecuting attorney to prosecute all violations of this Act.

Section 8. The sum of \$5,000 shall be annually appropriated for the use of the State Board of Health in enforcing and carrying out the provisions of this Act. Any and all necessary and legitimate expenses that may be incurred in prosecuting a case under this Act shall, on proper showing, be met by the State Board of Health out of this appropriation. In addition thereto, all fines and penalties recovered hereunder shall be paid into the State treasury and shall constitute a special fund for the use and purposes of the State Board of Health as herein enacted.

Section 9. All Acts and parts of Acts, in conflict herewith, are hereby repealed.

OHIO.

Rules and Regulations of the State Board of Health for the Prevention of Blindness From Inflammation of the Eyes of the New-Born.

1. Every physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital required to report to the local health

officer the condition defined as inflammation of the eyes of the new-born, in an act entitled "An Act for the prevention of blindness from inflammation of the eyes of the new-born, designating certain powers and duties and otherwise providing for the enforcement of this act," passed May 19, 1915, shall make such report in writing. Said written report shall give the name and address of the reporting physician, surgeon, obstetrician, midwife, nurse maternity home or hospital, the name, sex, age in days and address of the infant afflicted with inflammation of the eyes of the new-born, together with the name of the mother of such infant, provided that in the case of an unnamed infant, so afflicted the designation "Unnamed" shall be written in lieu of a given name.

2. If, in the opinion of the reporting physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital, the conditions of the case so require, in addition to the written report, an immediate notice of such case shall be given to the health officer in the most rapid manner available.

3. Upon receipt of a written report of a case of inflammation of the eyes of the new-born, the local health officer shall immediately write on the report the date and hour of the receipt of the report together with his own signature, and shall make a permanent record of the case for the use of the local health department. The original written report shall be thereafter forwarded at once by mail to the State Department of Health.

4. Parents, relatives and other persons required to report a case of inflammation of the eyes of the new-born shall make such report to the health officer in the most rapid manner available. Each case so reported to the health officer, and any other case coming to his attention otherwise than by the written reports as provided above, shall be reported in writing to the State Department of Health by the health officer. Such report from the health officer shall give the name and address of the person who first notified the health officer of the case, or a statement as to the health officer's source of information concerning the case, together with the name, sex, age in days and address of the infant afflicted with inflammation of the eyes of the new-born and the name of the mother of such infant provided that in the case of any unnamed infant so afflicted the designation "Unnamed" shall be written in lieu of a given name.

5. The local health officer shall forward by mail to the State Department of Health on blanks provided for the purpose a report of the investigation and history of each and every case of inflam-

mation of the eyes of the new-born reported to him or coming to his attention, said report to be submitted as soon as practicable.

6. Between the first and sixth of each month, the Secretary and Executive Officer of the State Board of Health, shall certify to the Treasurer of State the name and address of every physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital from whom one or more, the number to be specified, written reports of cases of inflammation of the eyes of the new-born submitted in full compliance with statute and rules and regulations of the State Board of Health, have been received by the State Department of Health during the preceding month.

Adopted August 12, 1915. Effective August 20, 1915.

TENNESSEE.

1915.

Section 1. It shall be the duty of the State Board of Health to officially name and approve a prophylaxis (or preventive) to be used in treating the eyes of newly born children, for preventing Ophthalmia Neonatorum (or for preventing blindness); and it shall be the duty of the Board of Health to publish instructions for using the same.

Section 2. Be it further enacted, That it shall be the duty of any physician, nurse or midwife, who shall assist and be in charge at the birth of any infant, or have the care of the same after birth, to treat the eyes of the infant with a prophylaxis approved by the State Board of Health; and such treatment shall be given as soon as practicable after the birth of the infant and always within one hour; and if any redness, swelling, inflammation, or gathering of pus shall appear in the eyes of such infant or upon the lid or about the eyes within two weeks after birth, then any nurse, midwife or other person, having care of the infant shall report the same to the local health officer or some competent practicing physician within six hours after its discovery.

Section 3. Be it further enacted, That any failure to comply with the provisions of Section 2 of this Act shall be a misdemeanor, punishable, upon indictment and conviction, by a fine of not less than five dollars nor more than \$100, or imprisonment in the County Jail not to exceed six months, or both in the discretion of the court.

Proceedings of the Tennessee State Board of Health.

In compliance with the mandatory instructions of the above law the Tennessee State Board of Health officially names and

approves a 15 per cent solution of argyrol or a 1 per cent solution of nitrate of silver as a prophylaxis for *Ophthalmia neonatorum*.

CALIFORNIA.

1915.

Section 1. Any condition of the eye, or eyes, of any infant in which there is any inflammation, swelling, or redness in either one or both of eyes of any such infant, either apart from or together with any unnatural discharge from the eye, or eyes, of any such infant, at any time within two weeks after its birth, shall, independent of the nature of the infection, for the purpose of this act, be called *ophthalmia neonatorum*.

Sec. 2. It shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital of any nature, parent, relative and any person or persons attendant upon, or assisting in any way whatsoever, either the mother or child, or both, at childbirth, in all cases where such child shall develop within two weeks after its birth *ophthalmia neonatorum*, and such person shall know the same to exist, to report the case within twenty-four hours after knowledge of the same, in such form as the State Board of Health shall direct, to the local health officer of the county or municipality within which the mother of any such infant may reside.

Sec. 3. It shall be the duty of the local health officer:

1. To investigate each case as shall be filed with him in pursuance with this Act, and all other such cases as may come to his attention.

2. To report all cases of *ophthalmia neonatorum* coming to his knowledge, and the result of all such investigations as he shall make to the State Board of Health, in such form as said board shall direct.

3. To conform to such rules and regulations as the State Board of Health shall promulgate for the purpose of carrying out the provisions of this Act.

Sec. 4. It shall be the duty of the State Board of Health:

1. To enforce the provisions of this Act.

2. To promulgate such rules and regulations as the State Board of Health may deem necessary to properly carry out the provisions hereof.

3. To provide for the gratuitous distribution of a scientific prophylactic for *ophthalmia neonatorum*, together with proper directions for the use and administration thereof, to all physicians,

midwives and such other persons as may be lawfully engaged in the practice of obstetrics or assisting at childbirths.

4. To print and publish such further advice and information concerning the dangers of ophthalmia neonatorum and the necessity for prompt and effective treatment thereof, as said board may deem necessary.

5. To furnish without cost copies of this law to all physicians, midwives and such other persons as may be lawfully engaged in the practice of obstetrics or assisting at childbirths.

6. To keep a proper record of any and all cases of ophthalmia neonatorum as shall be filed in their office in pursuance with this law, and as may come to their attention in any way, and to constitute such records a part of the biennial report to the Governor and the Legislature.

7. To report any and all violations of this Act as may come to their attention to the district attorney of the district wherein any violation of any provision of this Act may have been committed, for the purpose of prosecution.

Sec. 5. It shall be the duty of all maternity homes, hospitals, and similar institutions wherein childbirths shall occur, to keep a record of all cases of ophthalmia neonatorum occurring or discovered therein. Such records shall be in the form and contain the matters which the State Board of Health shall prescribe.

Sec. 6. The failure of any person mentioned in section 2 hereof to report, or the failure of any maternity home, hospital, or similar institution, to record any and all cases of ophthalmia neonatorum, as herein directed, or the failure or refusal of any person or institution, herein mentioned, to obey any rule or regulation adopted by the State Board of Health under this Act, shall constitute a misdemeanor, and upon conviction thereof shall be fined, for the first offense not to exceed fifty dollars; for a second offense not to exceed one hundred dollars; and for a third offense, and thereafter not to exceed two hundred dollars for each violation; and after the third conviction, if the person be a physician, midwife, or other person professionally employed, such conviction shall be a sufficient cause for the revocation of the license of such person by the board which granted the same. One-half of all fines collected hereunder shall go to the county wherein the prosecution was had, and the remaining one-half thereof shall go into the State treasury and constitute a special fund to be expended by the State Board of Health for the purposes of carrying out the provisions

of this Act. Any case of ophthalmia neonatorum, or the resultant blindness therefrom, upon which the accused may have been in attendance as hereinbefore set forth, shall be *prima facie* evidence of knowledge of such case by the accused.

Sec. 7. Chapter XIV, Statutes of 1897, entitled "An Act to regulate medical practice, to prevent blindness in infants," approved February 17, 1897, and all other acts and parts of acts in conflict herewith, are hereby repealed.

NEW HAMPSHIRE.

1915.

Section 1. Should one or both eyes of an infant become inflamed, swollen, and red, and show an unusual discharge at any time within two weeks after its birth, it shall be the duty of the attending midwife, nurse, relative, or other attendant treating or having charge of such infant, to report in writing, within six hours thereafter, to the Board of Health of the city or town in which the parents of the infant reside, the fact that such inflammation, swelling, and redness of the eyes and unnatural discharge exist, except that if a legally qualified physician is in attendance, he shall report as required by this section within twenty-four hours.

Sec. 2. Upon receipt of a report as set forth in section 1 of this Act, the Board of Health, if no physician is in attendance, shall at once direct the parents, or whoever has charge of such infant having such inflammation, swelling, redness, or unnatural discharge of the eyes, immediately to place it in charge of a legally qualified physician, or in charge of the city or town physician if unable to pay for medical services.

Sec. 3. The Board of Health of every city and town in the State shall make a weekly report to the State Board of Health, upon blanks furnished for that purpose, of all cases reported under the provisions of section 1 of this Act, and the State Board of Health is authorized to adopt such rules, regulations and instructions as it may deem necessary to carry out the provisions of this Act.

Sec. 4. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and shall be fined not exceeding twenty-five dollars for each offense.

NORTH CAROLINA.

1915.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any physician to neglect or otherwise fail to instill or have instilled, immediately upon its

birth, in the eyes of the new-born babe a suitable amount of a 1 per cent solution of nitrate of silver.

Sec. 2. Should any midwife or nurse, or person acting as nurse, having charge of an infant in this State, notice that one or both eyes of such infant are inflamed or reddened at any time within two weeks after its birth, it shall be the duty of such midwife or nurse, or person acting as nurse, so having charge of such infant, to report the fact in writing within six hours to the health officer, or some qualified practitioner of medicine, of the city or town in which the parents of the infant reside.

Sec. 3. Every health officer shall furnish a copy of this Act to each person who is known to him to act as midwife or nurse in the city or town for which such health officer is appointed, and the Secretary of State shall cause a sufficient number of copies of this Act to be printed, and supply the same to the health officers and State Board of Health on application.

Sec. 4. Any person violating this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars (\$5) nor more than ten dollars (\$10).

Sec. 5. That this Act shall be in force from and after its ratification.

OREGON.

1915.

Section 1. Should one or both eyes of an infant become inflamed or swollen or reddened at any time within two weeks after birth, it shall be the duty of the midwife or nurse, or other person having the care of such infant, to report in writing within twenty-four hours after the discovery thereof, to the health officer or legally qualified practitioner of the city, town or district in which the mother of the child resides, the fact that such inflammation or swelling or redness exists.

Sec. 2. That it shall be the duty of said health officer, immediately upon receipt of said written report, to notify the parents or the person having charge of said infant of the danger to the eye or eyes of said infant by reason of said condition from neglect of proper treatment of the same, and he shall also enclose to them directions for the proper treatment thereof.

Sec. 3. Every health officer shall furnish a copy of this Act to each person who is known to him to act as midwife or nurse in the city or town for which such health officer is appointed, and the State Board of Health shall cause a sufficient number of copies

of this Act to be printed and supply the same to such health officer on application.

Sec. 4. Any failure to comply with the provisions of this Act shall be punishable by fine of \$25.00 to \$100.00 or imprisonment not to exceed thirty days, or both.

NEBRASKA.

1915.

Section 1. *Physicians—To Use Nitrate of Silver on Eyes of New-Born Babies.* It shall be the duty of every physician in attendance upon any lying-in women, either in hospital or the general practice, upon the delivery of any newly born child, to use in the eyes of said child one of the following preparations:

Nitrate of silver, 1% to 4% solution.

Protaragol, 10% to 40% solution.

Argyrol, 40% to 50% solution.

No additional fee shall be charged by any physician for the furnishing or use of the preparations herein prescribed.

Sec. 2. *Penalty for Failure to Use.* Any physician violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than ten dollars nor more than fifty dollars, and his physician's license shall be subject to revocation by the State Board of Health.

ILLINOIS.

1915.

Section 1. Be it enacted by the people of the State of Illinois represented in the General Assembly: That any diseased condition of the eye or eyes of any infant in which there is any inflammation, swelling or redness in either one or both eyes of any such infant, either apart from or together with any unnatural discharge from the eye, or eyes of such infant, at any time within two weeks after the birth of such infant, shall, independent of the nature of the infection, be known as ophthalmia neonatorum.

Sec. 2. It shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital, of any nature, or parent, assisting in any way whatsoever, any woman at childbirth, or assisting in any way whatsoever any infant, or the mother of any infant, at any time within two weeks after childbirth, observing or having a reasonable opportunity to observe the condition herein defined, and within six hours thereafter to report in writing or by telephone, followed by a written report, such fact to the local health authorities of the city, town, village or other political

division, as the case may be, in which the mother of any such infant may reside. Provided, that such reports and the records thereof shall be deemed privileged information and shall not be open to the public.

Sec. 3. It shall be the duty of all maternity homes and any and all hospitals or places where women resort for purposes of childbirth, to post and keep posted in conspicuous places in their institution, copies of this Act, and to instruct persons professionally employed in such homes, hospitals and places regarding their duties under this Act, and to maintain such records of cases of ophthalmia neonatorum in the manner and form prescribed by the State Board of Health.

It shall be the duty of any and all physicians and midwives to advise, or for the prevention of ophthalmia neonatorum, such prophylactic as shall be prescribed by the State Board of Health, and to inform the parents or guardians of a child as to the dangers and dire consequences of this disease, for the purpose of preventing the development of ophthalmia neonatorum in cases of childbirth attended by midwives, midwives may employ the prophylactic prescribed by the State Board of Health, provided the consent of the parent or parents or guardian shall first be obtained for the use of such preventive treatment.

Sec. 4. It shall be the duty of the local health officer:

1. To investigate, in so far as that can be done without entering into the home or interfering with the child in any way without first securing the consent of the parents or guardian of such child, and each case of ophthalmia neonatorum reported to him in compliance with this law, and any other such case as may come to his attention.

2. To report all cases of ophthalmia neonatorum and the results of all such investigations as he may make to the State Board of Health in the manner and form prescribed by said board.

Sec. 5. It shall be the duty of the State Board of Health:

1. To enforce the provisions of this Act.

2. To provide for the gratuitous distribution of a scientific prophylactic for ophthalmia neonatorum, together with proper directions for the use and administration thereof, to all physicians and midwives authorized by law to attend at the birth of any child.

3. To have printed and published for distribution throughout the State advice and information concerning the dangers of oph-

themia neonatorum and the necessity for the prompt and effective treatment thereof.

4. To furnish similar advice and information, together with copies of this law, to all physicians, midwives and others authorized by law to attend at the birth of any child.

5. To prepare appropriate report blanks and to furnish same to all local health officers for distribution to physicians and midwives free of charge.

6. To report any and all violations of this Act to the prosecuting attorney of the district wherein said violation may have been committed.

Sec. 6. Any collusion between any official and any person, or between any others herein named, to misstate or conceal any facts which under this Act are essential to report correctly any case of ophthalmia neonatorum, shall likewise constitute a misdemeanor, and any person upon conviction thereof shall suffer a penalty such as is hereinafter provided.

Sec. 7. It shall be the duty of the State's Attorney for the proper district to prosecute for all misdemeanors as herein prescribed.

Sec. 8. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, in the discretion of the court.

Sec. 9. An Act for the prevention of blindness, approved June 21, 1895, in force July 1, 1895, is hereby repealed.

ANALYSIS OF THE LAWS.

States where Ophthalmia Neonatorum laws have been primarily passed by the Legislature:

- | | |
|------------------|--------------------|
| 1. New Jersey | 13. Rhode Island |
| 2. Missouri | 14. Kentucky |
| 3. Iowa | 15. Louisiana |
| 4. Connecticut | 16. Ohio |
| 5. Maryland | 17. Tennessee |
| 6. Massachusetts | 18. California |
| 7. Vermont | 19. New Hampshire |
| 8. North Dakota | 20. North Carolina |
| 9. Indiana | 21. Oregon |
| 10. Michigan | 22. Nebraska |
| 11. Pennsylvania | 23. Illinois |
| 12. Wisconsin | 24. Maine |

States where a State Board of Health law has become a State law, through the Legislature endorsing the action of the State Board of Health:

South Carolina	Idaho
Utah	Arkansas
Texas	New York
Minnesota	Vermont
	Wisconsin

The District of Columbia is governed by a Board of Commissioners. They make laws for the District. They have passed a law concerning Ophthalmia Neonatorum.

States where Board of Health rules have been passed, but where the State Legislature has taken no action:

Kansas	South Dakota	Washington
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States where the time is specifically designated, during which time inflammation of the eyes, of any nature whatsoever occurring in newly born infants, must be reported:

New Jersey	2 weeks
Iowa	2 weeks
South Carolina	Any time
Maine	4 weeks
Missouri	3 weeks
Connecticut	2 weeks
Massachusetts	2 weeks
Vermont	2 weeks
Washington, D. C.	Indefinite
North Dakota	2 weeks
Utah	Indefinite
Indiana	2 weeks
Texas	Indefinite
Minnesota	2 weeks
Michigan	2 weeks
Pennsylvania	2 weeks
Idaho	2 weeks
Arkansas	Indefinite
Wisconsin	2 weeks
Rhode Island	2 weeks
Kentucky	2 weeks
New York	Indefinite
Louisiana	2 weeks
Ohio	2 weeks
Tennessee	2 weeks

California	2 weeks
New Hampshire	Indefinite
North Carolina	2 weeks
Oregon	2 weeks
Illinois	2 weeks

It will be observed that these States provide a wide latitude of time for the inception of disease. True Ophthalmia Neonatorum develops within a few hours after birth, but in most of the States this time is greatly extended (to 2 weeks for instance) in order to provide against any possible mistakes or misconstructions. In a few of the States the law even goes so far as to specify that any eye inflammation, or discharge, occurring within (let us say) two weeks after birth, shall be regarded as Ophthalmia Neonatorum. The law recognizes that a large proportion of births are attended by midwives, or friends of more or less ignorance, and deems it wise to make provisions that take into consideration the ignorant environment of many births.

The law in most States makes entirely different requirements if the woman is attended in confinement by a doctor, or by a midwife, nurse or some one else. For instance, in New Jersey the law requires that any eye inflammation or discharge, occurring in two weeks after birth, in a case unattended by a doctor, must be reported in six hours to the local health officer in writing. Essentially the same regulation is true in Iowa, Maine, Vermont, Connecticut, Massachusetts, District of Columbia, North Dakota, Utah, Indiana, Pennsylvania (must report also to a doctor), Idaho (must report also to a doctor), Arkansas (must report also to a doctor), Wisconsin, Rhode Island (must report also to a doctor), Tennessee, New Hampshire, North Carolina (must report also to a doctor), Oregon (24 hours, may report to a doctor). In South Carolina, the midwife, nurse, or anybody having in charge the confinement, who notices sore eyes in a newly born infant, must report the matter to a reputable *doctor*. The same is essentially true in Iowa, Connecticut, Texas (in 12 hours, instead of 6 hours), Michigan, Arkansas, Rhode Island and Oregon. Some of the above States allow the report to be made to the local health officer or to a reputable doctor. In most of these States the parents, guardians, etc., must be notified of the dangerous character of the disease. In Massachusetts the law requires not only midwives, nurses, etc., to report sore eyes, but also doctors must do the same. The doctor must report the case in 24 hours to the local health officer. Essentially the same is true in Utah, only

the doctor must report in 6 hours, Minnesota (12 hours), Pennsylvania, Kentucky, Vermont (6 hours), Louisiana (6 hours), Ohio (6 hours), California (24 hours, also hospitals, maternity homes, etc.), New Hampshire (24 hours), Illinois (6 hours, also hospitals, maternity homes, etc.). New York merely declares Ophthalmia Neonatorum to be a communicable disease, which must be reported by a doctor to the local health officer in writing. Hospitals, etc., must also report this disease.

The following States furnish free medicine upon application. Some give the prophylactic to doctors only, and some furnish it to both doctors and midwives. Printed instructions, warnings of danger, literature, advice, copies of the law, etc., accompany the outfits:

New Jersey	Ohio
Massachusetts	California
Utah	Illinois
Vermont	District of Columbia
Wisconsin	Kansas
Rhode Island	New York
Kentucky	Washington
Louisiana	Vermont

In the following States the use of a prophylactic immediately after birth, by a *doctor*, is compulsory:

Michigan	Ohio
Idaho	Tennessee
Wisconsin	North Carolina
Rhode Island	Nebraska

As modifications from this requirement, the following instructions should be noticed. In New Jersey, the local health officer is directed to immediately call a private or public doctor, when redness, etc., of a newly born child is discovered. The same is true in

North Dakota	District of Columbia
Wisconsin	Minnesota
New Hampshire	Pennsylvania
Indiana	South Carolina
Arkansas	South Dakota
Massachusetts	Utah
Kentucky	Ohio

In Maryland *only* doctors are allowed to use the prophylactic. The same is true in the District of Columbia and Nebraska.

In North Dakota the law reads that a prophylactic must be applied if there is any suspicion of diseased eyes in newly born children. It does not state who shall use the prophylactic, but it may be assumed that this must be done by anybody who has charge of the case. The same is practically true in Indiana.

In Utah the law says that doctors or midwives are to treat cases in accordance with the rules laid down by the State Board of Health. The latter organization directs that midwives shall not treat such cases, if a doctor is available. If, however, a doctor cannot be obtained the midwife is specifically instructed how to care for and treat such cases.

In Michigan the law requires that any doctor, *midwife* or *nurse* attending a case of confinement *shall* use a prophylactic immediately after birth. The same is true in

Idaho	Louisiana
Wisconsin	Nebraska
Ohio	Rhode Island
Tennessee	Ohio
Indiana	

In Illinois, doctors and midwives shall *advise* a prophylactic at birth, as advised by the State Board of Health. Midwives may use the prophylactic, provided the parents consent.

In Louisiana, doctors and midwives must employ a prophylactic in all cases of Ophthalmia Neonatorum, as the State Board of Health shall direct. It does not, however, state that the prophylactic shall be used to *prevent* disease, although this may have been the meaning of those who formed the law.

Ohio directs that all cases of Ophthalmia Neonatorum occurring in indigent families shall be daily treated at public expense as long as the appropriation is not exhausted.

The prophylactic recommended by the various States varies. Some States merely recommend that a prophylactic be used: others, direct that the prophylactic recommended by the State Board of Health be used, etc.

The following States recommend or require the use of certain specified drugs:

Vermont, 1 per cent nitrate of silver.

Utah, 20 per cent argyrol.

Idaho, 1 per cent nitrate of silver, 25 per cent argyrol, 5 per cent protargol.

Wisconsin, 1 per cent nitrate of silver.

Michigan, 2 per cent.

Nebraska, 1 to 4 per cent nitrate of silver, 10 to 40 per cent protargol, 40 to 50 per cent argyrol.

(Nebraska is evidently a forceful State, and it is to be hoped that the "cure is not worse than the disease." These solutions are altogether too strong, especially the 4 per cent solution of nitrate of silver. This may be sufficient to blind an eye, unless immediately washed off with a salt solution, and nothing of this kind is mentioned in the law.)

The punishment for not obeying the law varies in the different States. In New Jersey, for instance, the fine must not exceed \$200, or imprisonment not to exceed 6 months, or both. In Iowa, the fine is from \$25 to \$100, or imprisonment for not to exceed 30 days, or both. South Carolina, not to exceed \$25, or imprisonment not to exceed one month, or both. This is not in force in towns of less than 1,000 inhabitants. Connecticut, not to exceed \$200. Maryland, not to exceed \$200, or imprisonment not to exceed 6 months, or both. Massachusetts, not less than \$50 or more than \$200. Vermont, \$10. District of Columbia, not to exceed \$40. North Dakota, \$10 to \$50. Utah, constitutes a misdemeanor. Indiana, \$10 to \$50. Michigan, not to exceed \$100, or imprisonment not to exceed 6 months or both. Pennsylvania, \$20 to \$100, or imprisonment from 10 to 30 days, or both. Idaho, not to exceed \$100, or imprisonment not to exceed 90 days, or both. Wisconsin, not more than \$100 for such offense. Rhode Island, not to exceed \$100, or imprisonment not to exceed 6 months, or both. Kentucky, not more than \$100. Persistent refusal to obey the law, by a doctor, midwife or nurse, may result in revoking the license to practice. Louisiana, first offense, not more than \$50; second, not more than \$100; third, not more than \$200, or the license to practice may be revoked. Ohio, \$50 to \$100; second and other offenses, \$100 to \$300. Fines are to be used to assist the campaign against *Ophthalmia Neonatorum*. Tennessee, \$5 to \$100, or imprisonment for not more than 6 months, or both. California, first offense, not more than \$50; second, not more than \$100; third, not more than \$200; after third offense, the license may be revoked. One-half of the fines shall go to the county and one-half to a fund to assist the campaign against *Ophthalmia Neonatorum*. New Hampshire, not to exceed \$25 for each offense. North Carolina, \$5 to \$10. Oregon, \$25 to \$100, or imprisonment for not more than 30 days, or both. Nebraska, \$10 to \$50. License may be revoked. Illinois, \$10 to \$100. In North Dakota, doctors' bills for confinement are not col-

lectible unless the law concerning Ophthalmia Neonatorum has been observed. This is also true in Indiana. Maine, not to exceed \$100, or imprisonment not to exceed 6 months.

The following States send, through local Boards of Health, copies of laws, literature on the subject, instructions and warnings to doctors, midwives, nurses, parents, etc. This printed matter is intended for free distribution to doctors, midwives, nurses, parents, etc.:

New Jersey	North Carolina
Michigan	Oregon
District of Columbia	Connecticut
Florida	New Hampshire
Georgia	New York
Indiana	Ohio
Kansas	Pennsylvania
Maine	Rhode Island
Massachusetts	Tennessee
Minnesota	West Virginia
Missouri	Wisconsin

The following States have made appropriations for the campaign against Ophthalmia Neonatorum:

New Jersey, \$2,000 annually. Louisiana, \$500 annually.
Massachusetts, \$2,500 annually. Ohio, \$5,000 annually.
Wisconsin, \$1,500 annually.

In Kentucky, all County Boards of Health must hold annual courses of instruction for doctors, midwives and nurses, during which Ophthalmia Neonatorum shall be thoroughly discussed.

In the following States cases of Ophthalmia Neonatorum must be reported in writing to the local health officer. He must investigate cases and report in writing to the State Board of Health. This body must report to the Governor and the Legislature. The Boards of Health and the Prosecuting Attorney must see that the law is observed:

Utah	Ohio
Louisiana	Illinois
California	Wisconsin

In the following States, upon the birth report to the local health officer, made out by the doctor, midwife, etc., attending the confinement, will be found an inquiry as to whether a prophylactic was used at birth. An answer to this question is expected:

North Dakota	Minnesota
Indiana	New Jersey
Ohio	New York
Arizona	Oklahoma
District of Columbia	Wisconsin
Michigan	

In the following States, hospitals, maternity homes, etc., are subject to the same rules as surround confinements in private homes, and licenses may be revoked if the law is not obeyed:

Louisiana	California
Ohio	Illinois

In the following States births are reportable. The time within which reports must be made is also given:

Arizona, 5 days.	Nebraska, 3 days.
Arkansas, 10 days.	Nevada, 10 days.
California, 5 days.	New Hampshire, 6 days.
Colorado, 10 days.	New Jersey, 5 days.
Connecticut, first week of each month.	New Mexico, 30 days.
Delaware, 24 hours.	New York, 5 days.
District of Columbia, 3 days.	North Carolina, 10 days.
Florida, soon as possible.	North Dakota, 3 days.
Georgia, 10 days.	Ohio, 10 days.
Idaho, 10 days.	Oklahoma, 3 days.
Illinois.	Oregon, monthly.
Indiana, 36 hours.	Pennsylvania, 10 days.
Iowa.	Rhode Island, by 5th day of following month.
Kansas, 10 days.	South Carolina, 10 days.
Kentucky, 10 days.	South Dakota.
Louisiana, 8 days.	Tennessee.
Maine, at once.	Texas.
Maryland, 4 days.	Utah, 10 days.
Massachusetts, 48 hours.	Vermont, 10 days.
Michigan, 10 days.	Virginia, 10 days.
Minnesota, 10 days.	Washington, 10 days.
Mississippi, 10 days.	West Virginia, 30 days.
Missouri, 10 days.	Wisconsin, 5 days.
Montana, 10 days.	Wyoming, 10 days.

It is certainly evident that if there is any connection between birth reporting and relief for *Ophthalmia Neonatorum*, very few States manifest it, by the time limit of reporting of births. If

anything is to be done about "babies' sore eyes" it must be done promptly upon its appearance. In 10 days, or 20 days, or 30 days, the time for useful action will have passed, and a life of blindness may have begun. The intelligent and honest reporting of births can have a distinct influence in the campaign for preventing blindness. If the report is made in three days, the reporter can have an opportunity of not only saying whether a prophylactic has been used, and which one, but he (or she) can tell if the baby has red eyes, in which event the matter should come under the immediate investigation and action of the local health officer. There is, therefore, a chance for much revision of existing laws. Some of the States require a doctor to report births, while in others the burden is thrown upon doctors, midwives, nurses and parents.

Miss Carolyn C. Van Blarcom of the National Committee for the Prevention of Blindness, New York City, has kindly furnished me with the following tables giving some interesting figures concerning the blind in our blind schools:

*Proportion of Pupils Blind From Ophthalmia Neonatorum in
Thirty State Schools for the Blind, 1914-1915.*

	Total Pupils 1914-1915	Total Blind from O. N.	Per Cent.	New Admis'ons	New Pupils Blind from O. N.	Per Cent.
Alabama	89	19	21.3			
Arkansas	123	8	6.5	20	1	5.0
California	93	16	17.2	23	4	17.3
Colorado	38	15	39.2	7	1	14.2
Connecticut	46	10	21.7	6	0	0.0
Idaho	18	3	16.6	6	1	16.6
Illinois	210	52	24.7	44	11	25.0
Indiana	133	4	3.0	23	1	4.3
Iowa	133	35	26.3	24	5	20.8
Kansas	95	22	23.1	20	2	10.0
Kentucky	124	34	27.4	29	7	24.1
Louisiana	52	8	15.3	14	2	14.2
Maryland	118	24	20.3	19	3	15.7
Massachusetts	306	79	25.8	54	5	9.2
Missouri	118	21	17.7	20	0	0.0
Montana	16	3	18.7	3	0	0.0
Nebraska	58	16	33.3	12	4	33.3
New York*	178	47	26.4	34	6	17.6
North Carolina	347	58	16.7	91	10	10.9
North Dakota	26	6	23.0	4	2	50.0

Ohio	248	66	26.6	48	7	14.5
Oklahoma	90	20	22.2	15	6	40.0
Oregon	36	10	27.7	-----	-----	-----
Pennsylvania	230	78	33.9	26	6	23.0
W. Pennsylvania	131	35	26.7	13	1	7.6
South Dakota.....	28	3	10.7	2	1	50.0
Utah	34	6	17.6	3	0	0.0
Vermont	5	0	0.0	0	0	0.0
Virginia	79	5	6.3	13	1	7.6
Wisconsin	132	37	28.0	29	4	13.7
Totals	3,334	740	22.1	602	91	15.1

*Except New York City.

Proportion of Pupils in Schools for the Blind During the Past Five Years Who Are Blind From Ophthalmia Neonatorum.

School Year	No. of Schools	Total Pupils	Pupils Blind	Per Cent
1910-11.....	16	2,018	521	25.8
1911-12.....	23	2,400	567	23.6
1912-13.....	21	2,327	684	29.3
1913-14.....	19	2,496	622	24.9
1914-15.....	30	3,334	740	22.1

Proportion of Pupils Newly Admitted to Schools for the Blind During the Past Eight Years, Who Are Blind From Ophthalmia Neonatorum.

School Year	No. of Schools	Total New Admissions	Pupils Blind From O. N.	Per Cent
1907-8.....	10	290	77	26.5
1908-9.....	14	300	68	22.6
1909-10.....	14	561	81	14.4
1910-11.....	15	351	84	23.9
1911-12.....	24	415	88	21.2
1912-13.....	21	386	88	22.7
1913-14.....	19	428	84	19.6
1914-15.....	28	602	91	15.1

Before closing this paper, I beg leave to enumerate those States that have, at least so far as I have been able to discover, no laws upon their statute books concerning Ophthalmia Neonatorum:

- | | |
|-------------|-------------|
| 1. Virginia | 3. Florida |
| 2. Arizona | 4. Delaware |

- | | |
|-----------------|-------------------|
| 5. Kansas | 12. Nevada |
| 6. South Dakota | 13. West Virginia |
| 7. Wyoming | 14. Montana |
| 8. Oklahoma | 15. Washington |
| 9. Alabama | 16. Colorado |
| 10. Mississippi | 17. New Mexico |
| 11. Georgia | |

I would earnestly urge the States just enumerated, where no Ophthalmia Neonatorum laws exist, at least so far as I have been able to ascertain, to see that suitable laws are immediately passed. As I have said before, however, I am well aware of the fact that laws alone will not produce reforms; but laws should be passed, in order to have a foundation upon which reforms may be built.

7 W. Madison St.

STATE LEGISLATION CONCERNING TRACHOMA.

Paper No. 3.

FRANK ALLPORT, M. D., Chairman of Conservation of Vision Committee of the Council on Health and Public Instruction
of the American Medical Association,
CHICAGO, ILL.

Trachoma is a real menace to this country, and as such, should be controlled and exterminated, and its results relieved as much as possible. It is found in all lands, and in all peoples, although the African race is probably more immune than others. It occurs in all ages, but is infrequent in infants. It is more prevalent in Egypt than in any other country. It occurs in high altitudes, on the sea-shore, and inland, in hot countries and in cold countries. It originally came from the Far East, and is spoken of in ancient Grecian and Roman literature. Its first great modern impression on the world was made when Napoleon's army returned from Africa in 1802 fairly saturated with trachoma, which it proceeded to spread to other European countries by the migration of its soldiery. It is a specific, infectious and contagious inflammation of the conjunctiva, whose bacteriological origin is unfortunately unknown, although much investigation has been performed, for the detection of the specific germ. When this is found, the entire subject will be much clarified, and human suffering immeasurably mitigated. This disease is produced by the direct transference of the secretion from a trachomatous eye, to a non-trachomatous eye, and is more virulent when the secretion is profuse. Eyes already inflamed are more liable to infection, than eyes that are not inflamed. Trachoma is a specific infection, and cannot result from evolution from an already inflamed eye. Trachoma leads to blindness in about 75 per cent of cases not properly treated. Untreated, it lasts a life-time. Probably 85 per cent of native Egyptians have trachoma. It is said that 35 per cent of the Indian population of this country have trachoma. Trachoma comes to this country principally through immigrants from Russia, Italy, Syria, Greece, Poland, Spain, Turkey, Armenia, Hungary, Finland, Bulgaria and the Philippine Islands. It is said that trachoma is an imported disease and comes to the United States, wholly from foreign countries. Doubtless, much of it *does* come through ports of entry, perhaps, *most* of it, but this does not satisfactorily explain the great prevalence of trachoma amongst our native Indians, and in the remote and isolated mountains of Kentucky and Tennessee,

where primitive people dwell, who have never even seen a train of cars, or an automobile. In some parts of Kentucky, trachoma exists in about 75 per cent of the population.

In the New York Eye and Ear Infirmary trachoma exists in about 5 per cent of the patients. This is largely due to the cosmopolitan character of the patients, and from the fact that New York is the largest port of entry in the United States. It may not be generally known that in 1882 Congress instituted what was called an "Epidemic Fund" authorizing the president to aid state and local authorities, in suppressing threatened or actual epidemics. Cholera, yellow fever, small pox and typhus, were first mentioned, and, in 1913, trachoma was added to the list. In some portions of Europe trachoma is responsible for about 60 per cent of the blindness; 18 per cent of all blindness in Russia is due to this disease, one thousand cases a year, are treated in the Lemberg hospital alone. In Japan, among 400,000 recruits for the army, 23 per cent of trachoma was found. From 1899 to 1901 about 8 per cent of all reported eye infections were due to trachoma. In the United States, trachoma is found chiefly at all seaports, and in Kentucky, Southern Illinois, Virginia, West Virginia, Northern Arkansas, Missouri, Oklahoma, Texas and in Minnesota, principally amongst the Indians and the miners, in the Mesaba and Vermillion iron ranges. In West Virginia it is much more common amongst the native white population in the remote mountain villages, than in the foreign population. During the last ten years, about 12,000,000 immigrants have been examined in United States seaports, and about 23,000 have been found to have trachoma; 30,000 people, in the last ten years, have been kept from sailing for the United States, from European ports, on account of trachoma. Realizing that enormous numbers of trachomatous people were being admitted to this country from foreign lands, and that the disease was becoming an uncontrollable menace to our population, the order was issued, in 1897, by the Secretary of the Treasury, that trachoma was a dangerous, contagious disease, and must no longer be admitted to the United States. Immigrants applying for admission to our shores, immediately dropped from 4 per cent to 2 per cent. Canada at once followed the example of the United States, and similar fortunate results followed. The decision of the Secretary of the Treasury in 1897, was endorsed by Congress in 1903, which passed a law, providing for the expulsion of all immigrants afflicted with trachoma, which was declared to be a "loathsome and contagious disease." All immigrants into the

United States should be carefully examined for the presence of trachoma. This is important not only to avoid the admission of trachomatous immigrants, but also, not to do an injustice to the immigrants themselves. A semi-latent form of chronic trachoma may exist in an individual, without his or her knowledge. On the other hand, various forms of conjunctivitis, principally follicular conjunctivitis, may be mistaken for early trachoma, especially in hurried examinations, and an immigrant deported, an act which often creates much hardship and sorrow, where for instance, families are divided, some being admitted to our shores while others are sent back to their homes. Therefore, only experts should decide upon these important matters and a competent ophthalmologist should be appointed to every examining board. The examination should include a careful inspection of the everted lids, as a low grade of trachoma may exist, without producing noticeable evidences, when looking at un-everted lids. It must not be forgotten that immigrants frequently try to avoid detection by using a few drops of adrenalin solution in the eyes, just before inspection is expected. All suspected cases should be detained for study, until an accurate diagnosis is reached. This is not only for the benefit of the United States, but also for the benefit of the immigrants, who may easily be wrongfully accused and deported. The diagnosis of trachoma is unfortunately based largely upon clinical appearance and experience, and upon the personality of the examiner. As has been said, the trachoma germ has not yet been isolated, but much assistance can be obtained by the microscopical examination of a strip of conjunctiva, as in true trachoma, the contained or bursting trachoma cell granules, can usually be found. Of course, the later stages of trachoma (hypertrophic and cicatricial) are easily detected, and doubt should only occur in the early stages, before the diagnostic lines, have been so clearly drawn. Follicular conjunctivitis tends to a spontaneous recovery with good conjunctiva, while trachoma practically never recovers spontaneously. It is quite probable, that many of the "cured" cases of trachoma, are in reality cases of follicular conjunctivitis, where a mistaken diagnosis has been made, or perhaps an erroneous opinion expressed.

Owing to the trachoma law for immigrants, and our better knowledge concerning the disease, trachoma is not on the increase in this country, in spite of the frequent occurrence of careless inspection at ports of entry. Before leaving the subject of the necessity for the strict observance of trachoma laws at ports of entry, I desire to protest solemnly against any relaxation concerning the non-

admission of trachoma into the United States until such relaxation is endorsed by a consensus of opinion on the part of the medical profession of this country. Ophthalmologists alone are capable of judging whether or no, trachoma is harmless and easily conquered, and I would advise the immigration officers of this country, instead of officiously and ignorantly settling this subject themselves, or of being satisfied with the opinion of one or two Ophthalmologists, who may choose to consider themselves the conquerors of trachoma, and as being more or less persecuted by their professional brethren, for holding heterodox views on the subject, to seek advice, before acting, from some representative Ophthalmological body, such as the Ophthalmic Section of the American Medical Association. This society would be *rejoiced* to know of the down-fall of trachoma, and would be prompt in its recognition of its obligation to the scientist who had accomplished this great service to humanity. These remarks would never have been made, had I not been told certain occurrences bearing upon this subject, by a prominent official, connected with the Immigration Bureau. It seems that some time ago, some of the Immigration Bureau officials were much impressed by the apparently curative results obtained in trachoma cases by a most eminent and skillful Ophthalmologist, who was using brassage, etc., as a means of cure. This gentleman is reported to have declared his belief in the easy and quick cure of trachoma, and to have expressed the opinion that it was no longer necessary to deport such cases. The Immigration officials visited the eminent Ophthalmologist's hospital and studied some of his cases, and thought most seriously of recommending the suspension of the present trachoma regulations. I imagine, however, that further consultations with Ophthalmologists induced them to avoid taking this unfortunate and misguided step. The entire situation was one of complexity and difficulty, where no one was to blame, but where enthusiasm and credulity, nearly precipitated an irreparable misfortune. The Ophthalmologist was not to blame for his enthusiasm, as he witnessed his beautiful results and the officials were not to blame for their credulity, in believing that easy and rapid cures were being performed, and that the embargo against trachoma should be now lifted. It should, however, teach a valuable lesson, viz., that important steps of this nature should not be taken, without exhaustive investigations. Personally, I believe in the curability of most cases of trachoma, but there are many experienced Ophthalmologists, who entertain entirely different views. In other words, the profession is not at all of one mind

on the trachoma subject; it is not settled. The means of treating this disease are known the world over, there are no secrets concerning the various procedures, surgical and otherwise. The brassage method used by the Ophthalmologist, who so impressed the Immigration Officials, has been tried for years, by all Ophthalmologists. Some use it, and others have discarded it. It is a good method, when used temperately and properly, but it cannot be depended upon to cure easily, promptly, and surely. Many cases of bad follicular conjunctivitis, are called trachoma, and "cured," and the method used, is much extolled. Other cases of *real* trachoma, are relieved by any of the surgical procedures advocated by various authors, and are *thought* to be cured, until the deep seated tarsal infections spring into activity; the "cure" dream evaporates, and the surgeon is again face to face with one of the big problems in Ophthalmology. Whatever the discouraging views of the medical profession may be concerning the curability of trachoma, and of the varying methods of achieving the best possible results, one fact stands out, so clearly that hardly anyone will have the temerity to dispute it, viz., there is no Royal Road to cure. No method is always or even *nearly* always dependable. Success may be attained at last, but as a rule, it will only be achieved by using every means at hand to combat the enemy. Laboratory or other work will probably some day solve this problem, but until it is solved and is officially acknowledged to *be* solved, trachomatous patients should absolutely be denied admission to this country. There is but little encouragement in spending time and money, and work, in endeavoring to exterminate trachoma from Kentucky, West Virginia, Southern Illinois, etc., if fresh material is to be constantly supplied from our ports of entry.

In 1912, the American Medical Association requested Congress to look into the trachoma situation, and in August of that year Congress appropriated \$10,000 for investigating trachoma and other contagious diseases, particularly amongst the Indian population of the United States. This sum, although small, has materially assisted us in our knowledge of trachoma, and *should* be an encouragement to Congress and to the various state governments to give their moral and financial support towards the extermination of trachoma. This should be done for moral and sociological reasons, but if the United States and the various state governments cannot rise to such sublime heights, let them at least do it as a financial investment, for it would be far cheaper to eliminate trachoma than to pay for its existence. I may say in passing, how-

ever, that this is a phase of financiering, that apparently does not appeal to the average law-makers.

In order to know best how to deal with trachoma, and what should be the nature of legislative enactments calculated to protect afflicted individuals, and the balance of the population, it is necessary to form some essential idea as to what constitutes favorable conditions for the development of this disease. Perhaps no fact stands out so conspicuously in this connection, as that ignorance, filth, and over-crowding, produce conditions most favorable for the conception and progress of trachoma. This is a large subject, and I shall not attempt to discuss the details very closely, but there are a few important elements that should be considered as nearly as possible, remembering that very poor people cannot surround themselves with ideal sanitary conditions, but still insisting, that such conditions should be maintained as nearly as possible, especially when trachoma has already commenced a threatened invasion.

1. Abolish the common family towel, wash basin, soap and drinking cup.

2. Admit all possible fresh air and sun-light, to buildings.

3. Avoid over-crowding, and sleeping two or more in a bed, and using the same bed-clothing.

4. All buildings should be protected from flies and mosquitoes by trustworthy screens.

5. Strict personal cleanliness should be maintained by bathing, washing, changing of clothes, etc. Homes, schools, factories, etc., should be kept clean and sanitary.

6. Avoid rubbing the eyes, especially after touching door knobs, stair railings, books, etc., particularly where trachoma is known to exist.

7. Keep the general health in as good a condition as possible.

8. The inhabitants of trachoma districts, can be greatly benefited by improving their intelligence, by talks, visits by doctors and nurses, demonstrations, moving picture lectures and the judicious and free distribution of well and plainly written printed matter. Nothing short of new, cheap and sanitary homes and buildings will answer the purpose in many poor neighborhoods and towns.

9. School children's eyes should be annually examined, as a routine procedure, and where trachoma is prevalent, they should be frequently examined, and watched by doctors, nurses and teachers. If a child has trachoma, he or she, should be excluded from

school until the danger of contagion has passed. Where much trachoma exists, schools for trachoma scholars should be established. The children should be made intelligent upon the subject of trachoma, its avoidance and care, by school talks, printed matter, etc. They should be constantly cared for and treated by Doctors and Nurses, especially qualified for such work. The sanitary condition of schools, should be rigidly enforced.

10. Trachoma is abundantly found in factories, mines, Indian settlements and remote mountain villages, such as exist in Kentucky, Tennessee, etc. Under these conditions, people live in close contact with each other, are frequently ignorant, and exist under unsanitary conditions. They should be inspected, educated, instructed and strictly isolated when trachomatous. The sanitary condition of factories, mines, Indian and mountain villages, should be a matter of government inspection and enforcement.

11. An abundance of permanent and traveling trachoma hospitals and dispensaries, should be maintained in trachoma districts. Failing in this, certain hospitals should set aside certain isolated spaces, for the reception and treatment of trachomatous patients. It is better to care for trachomatous patients where they live, than to transport them elsewhere, as such transportation spreads the disease from one point to another.

12. Trachoma should be a universally reportable disease, and the authorities should regard the matter seriously, and employ every agency, calculated to avoid the spread of the disease.

A copy of the specific laws of the different states concerning trachoma is herewith given:

TEXAS.

State Board of Health Law.

Endorsed by Legislature.

Publication of 1911.

Trachoma is a contagious and reportable disease.

Law specifically referring to trachoma is as follows:

Persons afflicted with trachoma, granulated lids, or contagious catarrhal conjunctivitis, must be excluded from schools, public assemblages and from close association with other individuals, unless they are under the constant care and strict supervision of a competent physician, and hold a certificate from said physician stating that active inflammation has subsided, said certificate to be countersigned by the local health authority.

NEW YORK.

State Department of Health Law.

Endorsed by the State Legislature.

Publication of 1914.

Communicable Diseases.

Regulation 1. Communicable diseases designated. For the purpose of this code, the term communicable disease shall be held to include the following diseases, which are hereby declared to be communicable through the conveyance of infective organisms:

Anthrax.

Chickenpox.

Cholera, Asiatic.

Diphtheria (membranous croup).

Dysentery, amoebic and bacillary.

Epidemic cerebrospinal meningitis.

Epidemic or streptococcus (septic) sore throat.

German measles.

Glanders.

Measles.

Mumps.

Ophthalmia Neonatorum.

Para-typhoid fever.

Plague.

Poliomyelitis, acute anterior (infantile paralysis).

Puerperal septicaemia.

Rabies.

Scarlet fever.

Smallpox.

Trachoma.

Tuberculosis.

Typhoid fever.

Typhus fever.

Whooping cough.

Regulation 2. Reporting cases of communicable disease by physicians. It shall be the duty of every physician to report to the local health officer, within whose jurisdiction such patient is, the full name, age, and address of every person affected with a communicable disease, together with the name of the disease, within twenty-four hours from the time when the case is first seen by him. Such report shall be by telephone or telegram, when practicable, and shall also be made in writing.

Regulation 3. Reporting cases of communicable disease in in-

stitutions. It shall be the duty of the superintendent or person in charge of every hospital, other institution, or dispensary, to report to the local health officer, within whose jurisdiction any such hospital, other institution, or dispensary is located, the full name, age, and address of every person under his charge affected with a communicable disease, together with the name of the disease, within twenty-four hours from the time when the case first develops or is first admitted to such hospital, other institution, or dispensary. Such report shall be by telephone or telegram, when practicable, and shall also be made in writing.

Regulation 4. Reporting cases of disease presumably communicable in schools. When no physician is in attendance, it shall be the duty of every teacher to report forthwith to the principal or person in charge of the school all facts relating to the illness and physical condition of any child in such school who appears to be affected with a disease presumably communicable. It shall be the duty of the principal or person in charge of every school to report forthwith to the local health officer all facts relating to the illness and physical condition of any child attending such school, who appears to be affected with any disease presumably communicable, together with the name, age, and address of such child. Such child shall be at once sent home or isolated.

Regulation 5. Reporting cases of disease presumably communicable in hotels, private households, boarding and lodging houses. When no physician is in attendance, it shall be the duty of the head of a private household or the proprietor or keeper of any hotel, boarding house, or lodging house, to report forthwith to the local health officer all facts relating to the illness and physical condition of any person in any private household, hotel, boarding house or lodging house under his charge, who appears to be affected with any disease presumably communicable, together with the name of such person.

Regulation 6. Reporting cases of disease presumably communicable by nurses and persons in charge of camps. It shall be the duty of every visiting nurse and public health nurse and of the person in charge of any labor or other camps, having knowledge of any person affected with any disease presumably communicable, who by reason of the danger to others seems to require the attention of the public health authorities, to report at once to the local health officer, within whose jurisdiction such case occurs, all facts relating to the illness and physical condition of such affected person.

Regulation 7. Reporting cases of disease presumably com-

municable on vessels. It shall be the duty of the master or person in charge of any vessel lying within the jurisdiction of the state to report or cause to be reported immediately in writing to the local health officer at such ports or landing as the state commissioner of health may designate, all facts relating to the illness and physical condition of any person in or on such vessel affected with any disease presumably communicable, together with the name of such affected person. This regulation shall not apply to any vessel within the jurisdiction of the health officer of the port of New York.

Regulation 11. Isolation of persons affected with communicable diseases. It shall be the duty of every physician, immediately upon discovering a case of communicable disease, to secure such isolation of the patient, or to take such other action, as is required by the special rules and regulations which from time to time may be issued by the local health authorities or by the state department of health.

Regulation 15. Right of entrance and inspection. No person shall interfere with or obstruct the entrance to any house, building, or vessel by any inspector or officer of the state or local health authorities, in the discharge of his official duties, nor shall any person interfere with or obstruct the inspection or examination of any occupant of any such house, building, or vessel by any inspector or officer of the state or local health authorities, in the discharge of his official duties.

Regulation 22. Preventing the spread of communicable diseases in institutions. It shall be the duty of the superintendent or person in charge of any hospital, or other institution, or dispensary, in which there is a person affected with any communicable disease, to take such steps as will, so far as practicable, prevent the spread of infective material.

Regulation 26. Exclusion from school of cases of disease presumably communicable. It shall be the duty of the principal or other person in charge of any public, private, or Sunday school to exclude therefrom any child or other person affected with a disease presumably communicable until such child or other person shall have presented a certificate issued by the health officer, or by the attending physician and countersigned by the health officer, stating that such child or other person is not liable to convey infective material.

Regulation 27. Exclusion from schools and gatherings of cases of certain communicable diseases. No person affected with chicken-

pox, diphtheria, epidemic cerebrospinal meningitis, epidemic or septic sore throat, German measles, measles, mumps, poliomyelitis (infantile paralysis), scarlet fever, smallpox, *trachoma*, or whooping cough, shall attend or be permitted to attend any public, private, or Sunday school, or any public or private gathering. Such exclusion shall be for such time and under such conditions as may be prescribed by the local health authorities, not inconsistent with the provisions of this code or the special rules and regulations of the state department of health.

MINNESOTA.

State Board of Health Law.

Endorsed by the State Legislature.

Publication of 1914.

Trachoma is a reportable disease.

Law specifically referring to trachoma is as follows:

It shall be the duty of any school teacher, employer, superintendent, foreman, or person in charge of a lodging house or boarding camp, to report to the local health officer, any person under his or her supervision who has inflamed eyes, or who complains of sore or roughened eyelids.

Upon receipt of such report the health officer shall investigate the case and if the disease is *trachoma* or suspected *trachoma*, he shall give written directions for the continuous treatment of the disease and for the precautions to be taken to prevent its spread to other persons unless the case is under the care of a competent physician and adequate precautions are being taken.

If the circumstances in any case of trachoma or suspected trachoma, requiring it, the patient shall be removed to a hospital or other suitable place and there shall be quarantined and treated during the active, infectious period of the disease.

No person affected with trachoma or suspected trachoma, shall attend school without a written permit from the health officer, certifying that the disease is under control and that no dangerous discharge exists.

KENTUCKY.

State Board of Health Law.

Publication of 1914.

Trachoma is a contagious and reportable disease.

Law specifically referring to trachoma is as follows:

Whereas, Trachoma, a highly contagious and infectious chronic eye disease, long a pestilence in the older countries, and usually spread by means of wash-basins, towels, pencils and other things

used in common by children and families, and which, without prompt recognition and persistent treatment, results in serious and permanent impairment of vision or blindness in a large majority of cases, is officially reported by experts of the U. S. Public Health Service as widespread in the counties of Breathitt, Clay, Jackson Lee, Leslie,, Owsley, Perry and adjacent sections, with many cases in Jefferson and Clark Counties, and more or less spread into almost every other county in Kentucky, presenting to officials and people problems, both health, economic and humanitarian, demanding prompt and concerted action, especially by school authorities and others having the care of children, with whom the ravages of the disease seem most disastrous:

Now, therefore, be it known, that the State Board of Health of Kentucky, in the exercise of authority vested in it by law, hereby forbids any person afflicted, or suspected to be afflicted, with trachoma, commonly known as "red sore eyes," to attend any school, public or private, in this commonwealth, as teacher or pupil, and requests and instructs all physicians, teachers, school trustees, county and city boards of health and other officials and good citizens to assist and co-operate in preventing the further spread of this disease, otherwise likely to entail misery to individuals and a burden upon taxpayers almost beyond calculation, in the light of experience with it in other and older countries. It further instructs county and city boards of health, in co-operation with their respective city councils and fiscal courts, to inaugurate and execute and to require the heads of families and other persons to execute such sanitary regulations as such board may consider expedient to prevent the spread of trachoma, which is hereby declared to be an epidemic and communicable disease, and to this end they are requested to bring all persons infected with trachoma under prompt and proper treatment during premonitory or other stages of the disease.

KENTUCKY.

Legislative Law.

Publication of 1914.

Whereas, Trachoma and Ophthalmia in the new-born, both highly infectious eye diseases, which usually result in blindness unless promptly recognized and treated, now exist in widely separated counties and sections, and everywhere show a tendency to break over official control and become widespread; and,

Whereas, So large a per cent of those who now have these diseases, or who are exposed to the contagion of either of them, will

become charges upon public charity, as to make systematic precautions against their further spread matters of great financial as well as humanitarian importance; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. That it shall be the duty of the county board of health of each county, acting in co-operation with the county medical society and State Board of Health, to arrange for an annual course of instruction or school for the physicians, midwives and nurses of such county to teach the importance, and the latest and best methods for the early recognition and treatment of, the dangers from, and the precaution to be used against, the infection and contagion to all who come in contact with cases of trachoma and ophthalmia, or any other disease of the eyes of the new-born, or with any towel, utensil or other thing used by or for them; and the importance and imperative duty of at once reporting all cases of such diseases to the county or city health authorities, as may be, and of keeping a true record of all such cases.

2. That it shall be the duty of the State Board of Health to secure the co-operation and assistance of the national health authorities in dealing with these diseases, and to prepare and issue bulletins or other literature containing professional and popular information as to the prevalence and infectious character of such eye-diseases, and the precautions to be used against such infections; and to furnish formulae and other information for the use of physicians and midwives in the management and treatment of such diseases. It shall be the duty of the county boards of health to furnish to physicians and midwives the simple drugs to be used for the indigent in preventing and in treating such diseases.

3. That it shall be the duty of every physician and of every midwife, who, while in attendance upon a baby under thirty days old or upon its mother, has observed ophthalmia in the new-born baby, and the duty of the head of a family and of a trained nurse in a family in which there is a baby under thirty days old and no physician or midwife in attendance, and the duty of the trained nurse and of the head of any institution in which there is a baby under thirty days old and no physician or midwife in attendance upon it or its mother, to report the case of ophthalmia in the new-born, within six hours after observing it, to the city board of health, if the case shall have occurred in a city then having a city board of health, or if there be no city board of health, or if the case shall have occurred outside a city, to the county board of

health within twenty-four hours after observation. And it shall be the duty of every physician to report each case of trachoma, so diagnosed by him as attending or examining physician, within five days after such diagnosis. And any physician, midwife, nurse, or head of family who fails to make the report required by this act, shall, upon conviction, be fined not more than one hundred dollars; and persistent failure or refusal on the part of a physician, midwife, or nurse to make such report, or to take the necessary precautions to prevent the spread of such diseases, shall be a proper ground for the revocation of the right to practice, after due notice and hearing, as now provided by law, for the revocation of certificates to practice medicine in this commonwealth.

4. That "Ophthalmia in the New-Born" shall be understood to be "any inflammation, swelling and redness of either eye, or of both eyes, either apart from or together with any unnatural discharge from the eye, or eyes, of a baby."

5. That all laws in conflict with this act are hereby repealed.

WASHINGTON.

State Board of Health Law.

Endorsed by State Legislature.

Publication of 1915.

Trachoma is a contagious and reportable disease.

Law specifically referring to trachoma is as follows:

All cases of trachoma must be reported to the local health officer within whose jurisdiction the case occurs, and health officers shall report each case to the State Commissioner of Health.

No child suffering from trachoma shall be allowed to attend any public, private or parochial school unless under the close supervision of a competent physician, who shall certify in writing to the school board and the health officer that the case is not in a contagious stage.

MONTANA.

State Board of Health Law.

Endorsed by State Legislature.

Publication of 1915.

Trachoma is a contagious and reportable disease.

Law specifically referring to trachoma is as follows:

No child suffering from trachoma shall be allowed to attend any public school in the state of Montana.

Teachers having reason to believe that any of the children under their care are suffering from trachoma shall notify the County or Local Health Officer and the parents of said children.

MASSACHUSETTS.

Legislative Law.

Endorsed by State Board of Health.

Publication of 1915.

Trachoma is a contagious and reportable disease.

Law specifically referring to trachoma is as follows:

The school committee shall cause notice of the disease or defects, if any, from which any child is found to be suffering to be sent to his parent or guardian. Whenever a child shows symptoms of small pox, scarlet fever, measles, chickenpox, tuberculosis, diphtheria or influenza, tonsilitis, whooping cough, mumps, scabies or trachoma, he shall be sent home immediately, or as soon as safe and proper conveyance can be found, and the board of health shall at once be notified.

SOUTH CAROLINA.

State Board of Health Law.

Endorsed by Legislature.

Publication of 1915.

Trachoma is a contagious and reportable disease.

Law specifically referring to trachoma is as follows:

Persons afflicted with trachoma, granulated lids or contagious catarrhal conjunctivitis shall be excluded from schools, public assemblages and from close association with other individuals, unless they are under the constant care and strict supervision of a competent physician, and hold a certificate from said physician stating that active inflammation has subsided and that danger of infection no longer exists.

INDIANA.

State Board of Health Law.

Endorsed by Legislature.

Publication of 1915.

Trachoma is a contagious and reportable disease.

Laws specifically referring to trachoma are as follows:

Cases of trachoma shall be excluded from school until the patient is placed under approved treatment and such cases shall be readmitted to school only upon certificate from the health officer having jurisdiction that the cases are under approved treatment.

No employer shall require, permit or suffer, any person to work, nor shall any person work, in a building, room, basement, cellar or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution and transportation of food, who is affected with any venereal disease, smallpox, diphtheria,

scarlet fever, yellow fever, tuberculosis, or consumption, bubonic plague, Asiatic cholera, leprosy, *trachoma*, typhoid fever, epidemic dysentery, measles, mumps, German measles, whooping-cough, chickenpox, or any other infectious or contagious disease.

It will be observed that a joint law between the state boards of health and the state legislature exists in all the states where individual trachoma laws exist.

In the following states no law on trachoma exists, except to declare trachoma a contagious and reportable disease: Wisconsin, North Dakota, Pennsylvania, Tennessee, Kansas, Michigan, Maryland, Rhode Island, Vermont, California, Utah, Colorado, Louisiana, Alabama, Virginia, Ohio, New Hampshire, New Jersey, Illinois, Idaho, Arizona, Maine, and Florida. In Arizona, Maine, Kentucky, Indiana, Idaho, New Hampshire, Florida, Massachusetts, Minnesota, New York, Pennsylvania, Montana, South Carolina, Texas and Washington children having trachoma are not allowed to attend school.

No trachoma laws exist in Iowa, Wyoming, Nevada, New Mexico, North Carolina, Missouri, Georgia, Mississippi, West Virginia, Delaware, District of Columbia, Oklahoma, Arkansas, Oregon, Connecticut, South Dakota, and Nebraska.

The trachoma ridden state of Kentucky has gone elaborately into the subject of trachoma, both in its state board of health, and legislative laws. It not only requires the prompt reporting of such cases by doctors, etc., under penalty of a fine, but explains to the public in proclamations the seriousness of the problem—physically, sociologically and financially. It excludes from all schools trachomatous children and offers suggestions as to the general care of the disease. It arranges for an annual state board of health school, for the purpose of giving instructions to health officers: how they may best deal not only with trachoma, but with ophthalmia neonatorum as well. It urges local, state and national boards, to issue literature, bulletins, etc., warning the public against these two terrible diseases. Kentucky has certainly taken a long step forwards, owing largely to the tireless work of J. A. Stucky, A. T. McCormack and Linda Neville, and her example may well be followed by other states, that are apparently asleep on this important subject. In Indiana, laboring people afflicted with trachoma, are not allowed to work at the preparation of any kind of food. In Minnesota, the law requires the reporting of trachoma to health officers, and also requires that such officers shall see that such cases are taken care of by competent physicians, and if advisable shall

be quarantined in a hospital until the period of danger to other people has passed. The law of the state of New York is given in full, not that it treats especially of trachoma, but because it gives a fairly good representation of the law concerning communicable diseases, in some other states, and especially in those states having ports of entry.

It will be observed that the laws in this country concerning trachoma are not by any means commensurate with the dreadfulness of the disease. Only 8 states have individual trachoma laws, and of these only Kentucky has taken the matter as seriously as it deserves. In 23 states trachoma is merely classed as a contagious disease, and in 17 states no trachoma laws exist at all—and in some of these states, stringent trachoma laws are extremely necessary. Trachoma is always a most serious problem, and in some states it has become a veritable scourge, involving much physical suffering, progressive contagion, mental inadequacy, humiliating and costly dependency, and a general disruption of personal, sociological, and financial conditions. As an economic proposition, no state can afford to allow a perpetuation of its existence. It is cheaper to stamp it out. Besides this no state can afford to have this disease on its conscience. On account of the great prevalence of trachoma in Kentucky, and from the existence within its borders of such intelligent and self-sacrificing citizens as Stucky, McCormack, McMullen, Linda Neville and others, that state has set an example to other states, as to what should be done in the way of legislation against this disease, together with care, treatment, etc., calculated to ultimately rid a community of trachoma. One of the most important movements in this campaign in Kentucky and Egypt, is the establishment of movable hospitals and clinics, in localities, where trachoma is most prevalent. By doing this, the spread of the disease is much diminished, care and treatment are brought to the very doors of the sufferers, and communities are educated to scientifically, and intelligently, combat this enemy to vision and happiness. As I have before stated, good laws alone do not cure evils. *Good laws must be obeyed.* Good laws are necessary as a foundation for desirable evolution. Therefore good laws should be passed in the various states concerning trachoma, and this must be followed up by the wide-spread distribution of intelligence and desire, and the *punishment of the guilty*, even if such guilt is found in the highest walks of professional life. Kentucky is punishing the guilty, let other states follow her example! A few cases brought to justice will work wonders in inspiring people to obey the law!

7 W. Madison St.

STATE LEGISLATION CONCERNING WOOD ALCOHOL. Fourth Paper.

By FRANK ALLPORT, M. D.,
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Association,
CHICAGO, ILL.

Wood alcohol with its green color, disgusting odor and vile taste has been manufactured for many years. It was also known as methyl alcohol, wood spirits, methylated spirits, etc. It was used in the trades (on account of its cheapness) to dissolve shellac, etc., and as it could not be swallowed on account of its taste and smell, nor inhaled for any length of time on account of its odor, but little harm resulted from its use. About the year 1890, however, the commercial spirit of the manufacturer, led him to realize, that if the taste and smell could be eliminated, wood alcohol could be largely used as a cheap and profitable substitute for grain or ethyl alcohol. The chemist has therefore (with deadly skill) gradually evolved a more and more agreeable variety of wood alcohol, until there is now, upon the market, a form of this product, that can hardly be distinguished from grain alcohol, except by those thoroughly familiar with its appearance, smell and taste. This variety of wood alcohol goes under the names of "Columbian Spirits," "Purified Wood Alcohol," "Standard Wood Spirits," "Colonial Spirits," "Standard Wood Spirits," "Manhattan Spirits," "Cologne Spirits," "Union Spirits," "Pro Spirits," "Eagle Spirits," "Lion d' or," "Hastings Spirits," "Acetone Alcohol," "Green Wood Spirits," etc. These different names are probably used to increase the sale of this deadly poison. The public is not, even now thoroughly familiar with the fact, that whatever the title of this product may be, as indicated by the label on the bottle, and however it may be stripped of its bad taste, smell, etc., its deadly qualities remain the same. It is still wood alcohol, and it is still capable of producing blindness and death. The uncertainty of the situation is what constitutes its peril. Here is an article, that to all appearances is good alcohol, and yet is likely to produce blindness and death by drinking or inhaling it. I, myself, could not tell the difference, and certainly ignorant people could not, and yet wood alcohol, masking under the various "aliases," is advertised as "A pure refined spirit, for domestic use, and a perfect substitute for grain alcohol, for all external purposes," or some other equally

misleading form of advertisement. Thus, we have upon the market a preparation so deadly, that a teaspoonful taken into the stomach or its free inhalation into the lungs, *may* produce blindness and death, and yet this product is claimed to be a "cheap and comparatively harmless substitute for grain alcohol," and its labels are frequently misleading and injurious in their results. No one can, of course, object to the manufacture and sale of poisons, but they should be sold distinctly *as* poisons, and should be clearly labelled, and the purchaser should understand that a purchase of a poison is being made. Moreover, poisons should only be sold under authority, and such sales should be duly registered. Take the label on certain (retail) bottles of refined wood alcohol for instance; it proclaims in *large letters* that this drug is "A Pure Refined Spirit" and a "Perfect Substitute for Grain Alcohol." It also states that it is for "External Use" and in *minute type* that it "Must not be taken internally." The purchaser is not properly warned of its highly poisonous qualities, and a purchaser could easily believe that he is merely buying a good quality of cheap alcohol, and that it would be foolish to pay a higher price for grain alcohol.

In 1912, Dr. Casey A. Wood of Chicago, made some experiments in an endeavor to ascertain the true status of the retail drug trade concerning the sale of Columbian Spirits. He purchased a small quantity of this article in ten retail drug stores in Chicago. He ascertained the following facts. Four stores placed no "Caution" or "Poison" labels on the bottles. The others attached labels but did not register the names of the purchaser. In most of the stores, "Denatured" alcohol was cheaper than Columbian Spirits. There was therefore no excuse for purchasing the latter.

Some people here and abroad drink dilute alcohol as an intoxicant and it cannot, therefore, be wondered at, that many such individuals have ignorantly purchased deodorized wood alcohol in some of its numerous forms, and suffered blindness and death as a result. This can be particularly well understood when it is realized that wood alcohol (in some form) is often sold at grocery and other stores, in loose quantities, being freely poured out into any container (usually old beer bottles) brought by the purchaser, and that no label whatever is stuck to the bottle to warn the purchaser of the name, or damage of the liquid.

Wood alcohol under its various titles is also used in the trades—in varnishing pianos, furniture, etc.; making varnishes, explosives, artificial leather enamels, celluloid, liniments, Florida water, tinc-

tures, paregoric, hair dyes, formaldehyde, Jamaica ginger, compound spirits of lavender, anisette, essence of lemon, white brandy, alcoholic extracts, stiffening hats, lacquering brass, cheap whisky, tonics, proprietary remedies, photography, etc. It is also used as a fuel, in lamps and stoves. The aniline dyes contain wood alcohol, and workmen who handle these dyes in their manufacture, and in coloring feathers, flowers, etc., sometimes become blind. Wood alcohol is sometimes used with injurious results in coating lead pencils. Barbers sometimes use purified wood alcohol in diluting bay rum and witch-hazel, etc., and Turkish bath shampoos sometimes use it after the bath. Painters usually use some form of wood alcohol to thin and dissolve shellac, as it is cheaper, and because they think it cuts shellac better than "industrial alcohol." Under such circumstances it is sometimes consumed by workmen as a drink, or inhaled while at work, with blindness or death as a result. One notable method of poisoning by wood alcohol is in using it to dissolve shellac in the interior of beer vats. Shellackers go inside of a beer vat to clean it with (perhaps) wood alcohol; air is supposed to be pumped inside the vat, to provide fresh air for the workmen to breathe, but sometimes the pump does not work, and disastrous results follow. Even when the pump works properly, a workman can only endure the fumes for a short time, and then is compelled to come out and breathe fresh air for a time, before he can resume work. It must be said in justice to the brewers that many of them have recognized the danger to their workmen, and take extraordinary precautions to safeguard them; even to the extent of having their vats lined with glass, thus doing away entirely with the necessity of dissolving the shellac, with alcohol or anything else.

One of the most aggravating features of the wood alcohol controversy is the fact that although there is on the market a safe alcohol, as cheap, if not cheaper, than any disguised wood alcohol, yet the manufacture and sale of the latter continue. In 1906, Congress passed a law permitting the free manufacture and sale of what was known as Denatured or Industrial Alcohol, consisting of 90 parts of grain alcohol, 10 parts of wood alcohol and one-half of 1 part of benzine or pyridine. This preparation can be used for heating, lighting, cooking and various other industrial purposes. Owing to its freedom from taxation, etc., it is cheaper than wood alcohol, and is a safe article to handle. It has had a gradually increasing sale.

In spite of this provision for a non-poisonous industrial, grain

alcohol the manufacture and sale of deodorized wood alcohol continues, and reports of blindness and death from its use are reported from time to time, owing probably to its tardy elimination from the body, and the retention in the body of its end-product, formic acid. Such retarded elimination produces blindness by an acute neuro-retinitis followed by nerve atrophy, or death by acute stomach and bowel inflammation and cardiac depression. These conditions are doubtless largely influenced by personal idiosyncrasy. While great ignorance concerning the injurious effects of any of the forms of wood alcohol still exists, and while its unprincipled sale still continues, the results of the propaganda against this poison must be regarded with great satisfaction, for its sale has gradually been diminished, in direct proportion to the increased sale of Industrial or Denatured Alcohol, and it would seem as if the day was not far distant, when the manufacture and sale of wood alcohol would be almost entirely discontinued. This good work has been accomplished largely through the efforts of Casey Wood, G. de Schweinitz, F. Buller, W. A. Holden, Carolyn Van Blarcom, F. Park Lewis, Miss L. L. Schuyler and others, to whom the thanks of this country are due. The city of New York has been particularly active in efficient work against the wood alcohol evil. This has been largely due to the efforts of the New York Committee for the Prevention of Blindness and the Hon. E. J. Lederle, Commissioner of Health. Acting under the authority of the New York City Board of Health, many saloonkeepers and other guilty people have been successfully brought to justice, and the examples thus made have taught a salutary lesson to all concerned in selling and consuming any of the different varieties of wood alcohol. The law against the adulteration of liquors in New York State and New York City has also been of distinct benefit in the campaign against wood alcohol. It is thought by those engaged in the New York campaign that the fines usually imposed (about \$150.00) for selling wood alcohol are not sufficient to extract the profits from the sales. It is felt that if the full penalty should be imposed (\$500.00), the sales would practically cease. It is also felt that many saloonkeepers are really ignorant of the injurious effects of wood alcohol, and that even if they are cognizant of the facts, they often purchase wood alcohol ignorantly owing to the fact that the containers in which they are received, are not always duly labelled "Poison, etc.," as is required under the State Pharmacy law of New York. Massachusetts has also been particularly active in its crusade against wood alcohol, and convictions under the Food and Drug law have

not been infrequent. The law of the New York State Board of Pharmacy on the subject of labelling, in Sections 238 and 241, says: "It is unlawful for any person to sell at retail or to furnish methyl or wood alcohol, without affixing or causing to be affixed to the bottle, box, vessel or package a label with the name of the article and the word "Poison," distinctly shown, and with the name and place of business of the seller, all printed in red ink, together with the name of such poisons printed or written thereupon in plain legible characters." The law distinctly states that these rules shall apply also to the sale of this article for use in the arts.

The Massachusetts law, not only prohibits the adulteration of drugs with wood alcohol but specifies that "Whoever, himself or by his servant or agent, or as the servant or agent of any other person, sells, exchanges or delivers any wood alcohol, otherwise known as methyl alcohol, either crude or refined, or denatured alcohol, which contains any methyl alcohol under, or by whatever name or trade mark the same may be known, shall affix to the bottle or vessel, containing the same, a label bearing the words "Poison, Not for Internal Use," in red letters, of uncondensed Gothic type, not less than one-fourth of an inch in height, and the same words, "Poison, Not for Internal Use," in stenciled letters of similar Gothic type of a size not less than three-fourths, nor more than 1½ inches in height, for use on barrels and kegs. Whoever violates any provision of this section, shall pay a fine of not less than \$50.00 nor more than \$200.00 for each sale in respect to which the violation occurs." It is surprising that the laws of New York, Massachusetts, etc., that go into so much detail should not also upon the labels, warn the public against inhaling wood alcohol, by which so many people have suffered such disastrous results.

MARYLAND.

Wood Alcohol.

1904.

Any person, firm or corporation engaged in the business of making, manufacturing, compounding or dispensing drugs, medicines, medicinal or chemical preparations for human consumption, who shall in person or by his, their or its agents or employes, make, mix, manufacture, compound, dispense, sell or deliver to any person, any drug, medicine, medicinal or chemical preparation, intended for internal use, wherein ethyl, or grain alcohol usually enters as part of, or is in anywise employed in the making, mixing or manufacture, compounding or preparation of such drug, medicine, medicinal or chemical preparation; and who shall, in the

making, mixing, manufacturing or compounding of such drug, medicine or medicinal or chemical preparation, substitute or use, in part or in whole, methyl, or wood alcohol, in place and stead of ethyl, or grain alcohol, or who shall in any manner put or introduce methyl, or wood alcohol, into such drug, medicine, medicinal or chemical preparation, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by not less than three months nor more than twelve months imprisonment, or by both, in the discretion of the court.

MARYLAND.

Law enacted by the Maryland Legislature in 1904.

No person, firm or corporation engaged in making, manufacturing, compounding and selling extracts, essences or other fluids commonly used for the purpose of flavoring articles of food or drink shall use or employ, or permit to be used or employed by his, their or its agents or employes, the making, manufacture or compounding of such flavoring extracts, essences or fluids any methyl, or wood alcohol; nor shall any person, firm or corporation, his, their or its agents or employes, sell, or offer for sale at wholesale or retail, any flavoring extract, essence or other fluid commonly used for flavoring articles of food or drink when the same contains any methyl, or wood alcohol; and any person, firm or corporation, his, their or its agents, employes or officers, violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by not less than three months nor more than twelve months' imprisonment, or by both, in the discretion of the court.

VIRGINIA.

Act of Legislature,
1904.

Nothing in this section shall be construed as licensing any person, firm, or corporation to sell wood alcohol, or any mixture thereof, as a beverage; and the sale of such wood alcohol, or mixture thereof, as a beverage is hereby prohibited.

VIRGINIA.

Pharmacy and Drug Act,
1908.

(a) The term "alcohol" is defined to mean common or ethyl alcohol. No other kind of alcohol is permissible in the manufac-

tuer of drugs, except as specified in the United States Pharmacopoeia or National Formulary.

WISCONSIN.
Act of Legislature,
1905.

No person, firm, or corporation shall require or wilfully permit the use of wood alcohol, or shellac or other materials dissolved in or mixed with wood alcohol, or "Columbian spirits," within any vat or tank, in such manner as to cause injury to or endanger the life or health of the person so using it, or any other person or persons.

Any person who violates any of the provisions in Section 1 of this act shall be punished by a fine of not less than \$25 nor more than \$100 for each such offense.

It shall be the duty of the Commissioner of Labor, the Factory Inspector, or any assistant factory inspector, to enforce this act.

A drug shall be deemed to be adulterated if it contains wood alcohol, except when intended for external use only and so labelled.

WISCONSIN.
Dairy and Food Commission,
1915.

"Section 4601. An article shall be deemed to be adulterated within the meaning of the preceding section: (Drugs) 1. * * * First, if, when sold, or offered or exposed for sale or had in possession with intent to sell, under or by a name recognized in the United States pharmacopoeia or national formulary, it differs from the standard of strength, quality or purity laid down in the latest edition thereof, current at the time when such drug is sold or offered or exposed for sale or had in possession with intent to sell; second, if its strength, quality or purity falls below the professed standard under which it is sold; third, if it contains wood alcohol except when intended for external use only and so labeled."

WISCONSIN.
Dairy and Food Law,
1915.

Flavoring extracts. A flavoring extract is a solution in ethyl alcohol of proper strength of the sapid and odorous principles derived from an aromatic plant, or parts of the plant, with or without its coloring matter, and conforms in name to the plant used in its preparation.

CONNECTICUT.

Drug and Food Law,
Public Acts of 1905.

Every person who shall sell any of the articles named in the schedule accompanying this section, marked schedule A, except when prescribed by a practicing physician, or sold at wholesale to licensed pharmacists, or for use in manufactures or the arts, shall label the bottle, box, or wrapper containing any such article, with a label upon which shall be plainly written or printed the word "poison," and any person violating the provisions of this section shall be fined one dollar.

Schedule A.

Acid carbolic, ammoniated mercury, acid muriatic * * *
wood or methylic alcohol under any name or in any mixture.

CONNECTICUT.

Food and Drug Act,
1907.

The term "alcohol" is defined to mean common or ethyl alcohol. No other kind of alcohol is permissible in the manufacture of food products or of drugs, except as specified in the "United States Pharmacopoeia" or "National Formulary."

CONNECTICUT.

Publication of 1913.

Be it enacted by the Senate and House of Representatives in
General Assembly convened:

Section 1. Every physician having knowledge of any person whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood alcohol, mercury, or their compounds, or from anthrax, or from compressed-air illness, or any other disease, contracted as a result of the nature of the employment of such person, shall, within forty-eight hours, mail to the commissioner of the bureau of labor statistics a report stating the name, address, and occupation of such patient, the name, address, and business of his employer, the nature of the disease, and such other information as may reasonably be required by said commissioner. The commissioner of the bureau of labor statistics shall prepare and furnish to the physicians of this state suitable blanks for the reports herein required.

Sec. 2. No report made pursuant to the provisions of this act shall be evidence of the facts therein stated in any action at law against any employer of such diseased person.

Sec. 3. Any physician who shall neglect or refuse to send any report herein required, or who shall fail to send the same within the time specified in this act, shall be liable to the state for a penalty of not more than ten dollars, recoverable by civil action in the name of the state by the commissioner of the bureau of labor statistics.

Approved, April 22, 1913.

NORTH DAKOTA.

2946: *Methyl Alcohol prohibited.* It shall be unlawful to sell, offer or expose for sale, or to have in possession any preparation or product intended for the use of man, either for internal or external purposes, including washes and perfumes, which contain methyl alcohol or wood spirits. (1907, ch. 193, 6; R. C. 1905, 2160; 1905, ch. 10, 6.)

2945: *Physicians' Prescriptions to be filled.* Nothing in this article shall be so construed as to in any way interfere with the written prescription of any regularly licensed physician or with the filling of the same by a licensed druggist. (1907, ch. 196, 7; R. C. 1905, 2161; 1905, ch. 10, 7.)

2946: *Penalty For So Doing.* Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and shall for the first offense be punished by a fine of not less than five dollars or more than one hundred dollars, and all necessary costs, including the expense of analysing such adulterated articles when said person has been found guilty under this article, and all such adulterated or misbranded articles may by order of the court be seized and destroyed. (1907, ch. 196, 8; R. C. 1905, 2162; 1905, ch. 10, 8.)

2947: *Duty of State's Attorney.* It shall be the duty of the attorney-general and state's attorney to prosecute all persons violating any of the provisions of this article when the evidence thereof has been presented by the North Dakota government agricultural experiment station as provided for in sections 2949 and 2950. (1907, ch. 196, 9; R. C. 1905, 2163; 1905, ch. 10, 9.)

MINNESOTA.

Act of Legislature.

1905.

Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and be punished by a fine of not less than \$50 and not more than \$100 for each and every offense, or by imprisonment in the county jail for not less than thirty days or more than ninety days.

No person shall make, brew, distil, sell or serve, in any form, any adulterated, spirituous, fermented or distilled liquor, and any such liquor shall be deemed adulterated if it contains any of the following named substancesmethyl alcohol, or derivatives therefrom.

Every person who, with intent that the same may be sold as unadulterated or undiluted, shall adulterate or dilute, wine, milk, distilled spirits, malt liquors, or any drug, medicine, food or drink for man or beast; or shall offer for sale or sell the same as unadulterated or undiluted, or without disclosing to or informing the purchaser that the same has been adulterated or diluted; or shall manufacture, sell, expose, or offer for sale, such article of food, or drink, any substance in imitation thereof, without disclosing the imitation by a suitable and plainly visible mark or brand; or with intent that the same may be used as food, drink, or medicine, shall sell, offer or expose for sale, any article whatsoever which to his knowledge has become spoiled, tainted or for any cause unfit to be used as food, drink, or medicine, where special provision has not otherwise been made by statute for its punishment, shall be guilty of a misdemeanor, and punished by a fine of not less than twenty-five dollars or by imprisonment in the county jail for not less than thirty days.

MINNESOTA.

Act of Legislature.

1913.

“No person, by himself, his servant or agent, or as the servant or agent of another person or persons, shall sell, exchange, deliver or have in his custody or possession with intent to sell, exchange or deliver, or expose or offer for sale, exchange or delivery, any wood alcohol, or substance commonly known as wood alcohol, unless each package, bottle, cask, can or receptacle containing the said wood alcohol shall be plainly marked, stamped, branded or labeled on the outside and face of each said package, bottle, cask, can or receptacle of the capacity of less than one gallon, in legible type not smaller than large primer, and on the outside and face of each package, bottle, cask, can or receptacle of the capacity of one gallon or more, in legible letters of not less than one inch in length, the letters and words “wood naphtha,” “poison.”

CALIFORNIA.
State Board of Health.
1905.

Regulation 27. The term "alcohol" is defined to mean common or ethyl alcohol. No other kind of alcohol is permissible in the manufacture of drugs, except as specified in the United States Pharmacopoeia or National Formulary.

San Francisco Law.
1906.

It shall be unlawful to sell, offer for sale, deliver or cause to be delivered any drug or medicine labelled with the recommendation that the same is for the internal or external use of man which contains methyl alcohol.

ALABAMA.
Criminal Law.
1907.

It shall be unlawful to sell, offer, or expose for sale, or otherwise dispose of or have in possession, any preparation or product intended for the use of man, either for internal or external purposes, which contains methyl alcohol or wood spirits.

KANSAS.
Law of State Board of Health.
1907.

(a) The term "alcohol" is defined to mean common or ethyl alcohol. No other kind of alcohol is permissible in the manufacture of drugs, except as specified in the United States Pharmacopoeia or National Formulary.

KANSAS.
State Board of Health.
1914.

1. Flavoring extract, Extract, Flavoring, Flavor, is a solution in ethyl alcohol of proper strength of the sapid and odorous principles derived from an aromatic plant, or parts of the plant, with or without its coloring matter, and without added coloring matter, and conforms in name to the plant used in its preparation. Substances sold for flavoring under names used in the U. S. Pharmacopoeia or National Formulary conform to the requirements of those authorities in respect to strength and quality.

MONTANA.

Act of Legislature.

1907.

Section 1636. *Sale of Poisons Regulated.* It shall be unlawful for any person from and after the passage of this Act to retail any of the following named poisons, to-wit: Arsenic, and its preparations, corrosive sublimate, white and red precipitate, bini-
odide of mercury, cyanide of potassium, hydro-cyanic acid, strychnine, and all poisonous vegetable alkaloids and their salts, the essential oil of almonds; opium and its preparations, except paregoric and other preparations of opium containing less than two grains to the ounce; aconite, belladonna, colchicum, conium, nox-vomica, digitalis, and their pharmaceutical preparations; croton oil, chloroform, chloral hydrate, sulphate of zinc, mineral acids, carbolic acid, oxalic acid, wood alcohol, without labeling the box, bottle, vessel, paper or package in which said poison is contained, with the article, and the word "poison," and the name of the place of business of the seller. Also each label of such poison shall contain a concise statement of the principal antidotes for the poison so labelled. The label hereby required to be placed upon wood alcohol shall contain the following: "Warning" "The fumes of wood alcohol burned in a close room, if inhaled are injurious to eyesight, often producing total blindness." Nor shall it be lawful for any person to deliver or sell any poisons enumerated above, unless upon due inquiry it be found that the purchaser is aware of its poisonous character, and represents that it be used for a legitimate purpose. The provisions of this Section shall not apply to the dispensing of poisons in not unusual quantities or dose upon the prescription of practitioners of medicine. Any person or persons violating the provisions of this Section shall be deemed guilty of a misdemeanor; Provided, however, that this Section shall not apply to manufacturers, making and selling at wholesale any of the above poisons, and provided that each bottle, box, vessel, paper, or package in which said poison is contained shall be labelled with the name of the article, the word "poison" and the name and place of business of the seller.

MAINE.

Act of Legislature.

1907.

Section 21. Whoever, himself or by his servant or agent, or as the servant or agent of any other person, sells, exchanges or delivers any wood alcohol, otherwise known as methyl alcohol, shall

affix to the vessel containing the same and shall deliver therewith a label bearing the words "Wood Alcohol, Poison" in red letters of not less than one-fourth inch in height. Whoever violates the provisions of this section shall pay a fine of not less than fifty dollars and not more than two hundred dollars.

Section 22. Whoever, himself or by his servant or agent, or as the servant or agent of any other person, sells, exchanges or delivers, or has in his possession with intent to sell, exchange or deliver, any article of food or drink, or any drug intended for internal use, containing any wood alcohol, otherwise known as methyl alcohol, shall be punished by a fine of not less than two hundred dollars or by imprisonment for not more than thirty days, or by both fine and imprisonment.

NORTH CAROLINA.

Food and Drug Law.

1908.

Manufacturing and selling spirituous liquor to be used as a beverage containing poisonous properties is a misdemeanor punishable by not less than 5 years and a fine, at the discretion of the court.

An article of food shall be deemed to be adulterated, if it contains any added poisonous or other added deleterious ingredients which may render such article injurious to health. If it contains any of the following substances which are hereby declared deleterious and dangerous to health when added to human food, to-wit: wood alcohol.

COLORADO.

Food and Drug Act.

1908.

The use of the "very poisonous" methyl alcohol (wood alcohol, Colonial or Columbian Spirit), is prohibited in all preparations for internal or external use, as regards the human body. This prohibition includes extracts, beverages, washes, perfumes, cosmetics, etc.

SOUTH CAROLINA.

Act of Legislature.

1909.

Section 1. An Act—Making lawful the manufacture within the State of ethyl and methyl alcohol from sawdust, slabs, or any other wood substance.

Section 2. No alcohol manufactured under the provisions of

this act shall ever be used either within or without this State as a beverage or for medicinal purposes.

Section 10. Nothing in the act prohibiting the sale of alcoholic liquors shall prevent the sale of wood or denatured alcohol.

NEW YORK.

State Law.

1909.

Article 8, Agricultural Law 201, 1909.—200. No person, firm, association or corporation shall within this State manufacture, produce, sell, offer or expose for sale any article of food which is misbranded within the meaning of this article.

201. Definition of adulterated or misbranded food: An article of food shall be deemed to be adulterated if it contains methyl or wood alcohol, in any of its forms, or any methylated preparation made from it.

An article shall be deemed to be adulterated in the case of spirituous, fermented and malt liquors, if it contain methyl or wood alcohol in any of its forms,

New York City Law,

1912.

No person or corporation shall have, sell or offer for sale any food or drink which contains methyl alcohol (commonly known as wood alcohol) or any preparation or mixture of any kind whatsoever containing the same, intended either for internal or external use by man; nor shall methyl or wood alcohol or any preparation or mixture containing the same be used upon or applied to the person or body of another.

Board of Health of New York City.

1915.

Sec. 92. It shall be the duty of the manager or managers, superintendent, or person in charge of every hospital, institution, or dispensary, in the City of New York, to report to the Department of Health, in writing, the full name, age, and address of every occupant or inmate thereof or person treated therein, affected with any one of the occupational diseases included in the list appended, with the name of the disease, within twenty-four hours after the time when the case is diagnosed and it shall be the duty of every physician to make a similar report to the said Department within the said period relative to any person found by such physician to be affected with any one of the said occupational diseases, stating, in each instance, the name of the disease: Arsenic poisoning, bisulphide of carbon poisoning, brass poisoning, caisson

disease (compressed-air illness), carbon monoxide poisoning, dinitrobenzine poisoning, lead poisoning, mercury poisoning, methyl alcohol or wood naphtha poisoning, natural gas poisoning, phosphorus poisoning.

Sec. 124. No person shall sell, offer for sale, give away, deal in, or supply, or have in his or her possession with intent to sell, offer for sale, give away, deal in, or supply, any article of food or drink or any medicinal or toilet preparation, intended for human use internally or externally, which contains any wood naphtha, otherwise known as wood alcohol or methyl alcohol, either crude or refined, whatever may be the name or trade mark under or by which the said wood naphtha shall be called or known.

No person shall sell, offer for sale, give away, deal in, or supply, or have in his or her possession with intent to sell, offer for sale, give away, deal in, or supply, any wood naphtha, otherwise known as wood alcohol, or methyl alcohol, either crude or refined, whatever may be the name or trade mark under or by which the said wood naphtha shall be called or known, unless the container in which the same is sold, offered for sale, given away, dealt in, or supplied, shall bear a notice containing the following advice and words conspicuously printed or stenciled thereon, viz.:

(Skull and crossbones represented.)

POISON.

WOOD NAPHTHA OR WOOD ALCOHOL.

WARNING.—It is unlawful to use this fluid in any article or food, beverage, or medicinal or toilet preparation, intended for internal or external human use.

NEW YORK.

State Pharmacy Law.

1915.

§237. *Adulterating, Misbranding and Substituting.* A drug is adulterated in any of the following cases: If it contains methyl or wood alcohol when intended for use as a medicine except when sold as a veterinary liniment for external use only and so labeled.

OKLAHOMA.

Food and Drug Law.

1909.

The term "alcohol" is defined to mean common or ethyl alcohol. No other kind of alcohol is permissible in the manufacture of drugs, except as specified in the "United States Pharmacopoeia" or in the "National Formulary."

PENNSYLVANIA.

Food and Drug Law.

1909.

ff

Any drug containing methyl alcohol (wood alcohol) will be regarded as adulterated within the meaning of this act (Adopted 1910).

An article of food shall be deemed to be adulterated, if it contains any added ingredients deleterious to health.

PENNSYLVANIA.

Dairy and Food Act.

Publication of 1914.

RULE NO. 12, FLAVORING EXTRACTS. The names flavoring extract, flavor, flavoring, essence and tincture, as applied to articles intended for use in the preparation of foods, shall be used only to designate solutions in ethyl alcohol of proper strength of the sapid and odorous principles derived from an aromatic plant, or parts of the plant, with or without its coloring matter, and shall conform in specific name to the plant used in its preparation.

Flavoring solutions, in the preparation of which flavoring substances not derived from the plant specifically named have been added, shall not be designated as if prepared solely from the aromatic plant named.

An imitation flavoring extract shall not be given a name nor bear upon its label any statement, design or device that shall in any way indicate that it is the flavoring extract which it imitates.

PENNSYLVANIA.

Publication of 1915.

RULES AND REGULATIONS ADOPTED BY THE ADVISORY BOARD OF THE DEPARTMENT OF HEALTH AT HARRISBURG ON THE FOURTEENTH DAY OF JANUARY, 1915.*

Every physician practicing in any portion of this Commonwealth, who shall treat or examine any person suffering from, or afflicted with, paratyphoid fever, anthracosis, arsenic poisoning, brass poisoning, carbon monoxide poisoning, lead poisoning, mercury poisoning, natural gas poisoning, phosphorus poisoning, wood alcohol poisoning, naphtha poisoning, bisulphide of carbon poison-

*Any person who violates any order or regulation of the Department of Health, or who resists or interferes with any officer or agent thereof in the performance of his duties in accordance with the regulations and orders of the Department of Health, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, be punished by a fine of not more than one hundred dollars, or by imprisonment not exceeding one month, or both, at the discretion of the court. Section 16 of the act of April 27, 1905.

ing, dinitrobenzene poisoning, caisson disease (compressed-air illness), shall if said case shall be located in a township of the first class, a borough, or a city, forthwith make a report in writing to the health authorities of said township, city, or borough; and, if said case shall be located in a township of the second class, or a city, borough, or township of the first class not having a board of health or body acting as such, to the State Department of Health.

KENTUCKY.

Act of Legislature.

1910.

The term "alcohol" is defined to mean ethyl alcohol, of the degree of refinement required in the Pharmacopoeia. No other kind of alcohol is permissible in the manufacture of drugs, except as specified in Regulation 9.

It has been found by the inspector that the dealers have been using what is known as commercial alcohol in the manufacture of drugs. Commercial alcohol does not meet the requirements of the Pharmacopoeia for freedom from aldehyde and fusel oil, and under the law cannot be used. The dealer should insist that the wholesaler or jobber supply him with the United States Pharmacopoeia alcohol. (Bulletin No. 144.)

WASHINGTON, D. C.

Food and Drug Law.

1910.

(a) The term "alcohol" is defined to mean common or ethyl alcohol. No other kind of alcohol is permissible in the manufacture of drugs except as specified in the United States Pharmacopoeia or National Formulary.

WASHINGTON, D. C.

Food and Drug Law.

1906.

That for the purpose of this Act an article shall be deemed to be misbranded: In case of drugs—if the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucane, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such substances contained therein.

OHIO.

Act of Legislature.

1910.

Chap. 1, Sec. 5777.—A drug is adulterated within the meaning of this chapter (6) if it contains any methyl or wood alcohol.

Section 5778.—Food, drink, confectionery, or condiments are adulterated within the meaning of this chapter (11) if they contain any methyl or wood alcohol.

Section 5779.—A flavoring extract is adulterated within the meaning of this chapter (8) if it contains any methyl or wood alcohol.

OHIO.

Publication of 1915.

Act of State Board of Health—Endorsed by the State Legislature.

Adopted by the State Board of Health under Authority granted in Sections 4227, 1239, 1237, General Code of Ohio. See pages 4, 5, 6 and 7.

SECTION 1. The following named diseases and disabilities are hereby made notifiable and the occurrence of cases shall be reported as herein provided.

GROUP 2. OCCUPATIONAL DISEASES AND INJURIES.

Arsenic poisoning, Brass poisoning, Carbon monoxide poisoning, Lead poisoning, Mercury poisoning, Natural gas poisoning, Phosphorus poisoning, Wood alcohol poisoning, Naphtha poisoning, Bisulphide of carbon poisoning, Dinitrobenzene poisoning, Caisson disease (compressed-air illness), Anilin poisoning, Turpentine poisoning, Benzol (Benzine) poisoning. Any other disease or disability contracted as a result of the nature of the person's employment.

OHIO.

Dairy and Food Commission,

1914.

Department Ruling No. 8.

Alcohol.

Alcohol is a drug recognized by the laws of Ohio as a product with two definite standards. When sold as alcohol without any qualifying statement it must be construed to be alcohol containing 94.9% absolute alcohol. When sold as a diluted alcohol it must contain by virtue of the same authority 48.9% of absolute alcohol.

The laws of Ohio have adopted the United States Pharmacopoeia as a standard under sections 5777 and by such adoption have fixed the standard of these drugs at the above strength. Therefore, the

sale of alcohol by or under its official name, but with a percentage of absolute alcohol that varies from that standard, shall be labeled to show in addition to the word alcohol, the percentage of absolute alcohol.

The recognition of alcohol as a drug in the United States Pharmacopoea, under section 5777 would absolutely prohibit its sale under that name if any variation was made from the standard. But, this department recognizing the fact that alcohol of other strengths are in daily use and in constant demand, will require that after this date the sale of all alcohol that varies from the U. S. P. standard shall be labeled and bear a statement upon the label of the percentage of absolute alcohol.

This regulation brings this section in its application to alcohol to conform practically to section 7 of the Federal Food and Drugs Act, which section reads, in part, as follows:

" that no drug defined in the U. S. P. or N. F. shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle, box or other container thereof, although the standard may differ from that determined by the test laid down in the U. S. P. or N. F."

Sales of alcohol made without compliance with the above regulation will be deemed by this department to be violation of clause 1, section 5777, and subject the person making such sale to prosecution under the above section.

ILLINOIS.

Act of Legislature.

1911.

No person shall, within this State, by himself, his agent, or servant, or as a servant or agent of any other person or corporation, manufacture, brew, distil, have or offer for sale, or sell any spirituous or fermented or malt liquor, containing any drug, substance, or ingredient not healthful or not normally existing in said spirituous, fermented or malt liquor, or which may be deleterious or detrimental to health when liquors are used as a beverage, and the following drugs, substances, or ingredients shall be deemed to be not healthful and shall be deemed to be deleterious or detrimental to health when contained in such liquors, to-wit: methyl alcohol and its derivatives.

Whoever adulterates, for the purpose of sale, any liquor used or intended for drink with substances which are poisonous or injurious to health; and whoever sells or offers or keeps for sale any such liquor so adulterated, shall be confined in

the county jail not exceeding one year, or fined not exceeding one thousand dollars, or both.

No person shall mix any article of food, drink or medicine, or any article which enters into the composition of food, drink or medicine, with any other ingredient or material, whether injurious to health or not, for the purpose of gain or profit, or sell, or offer the same for sale, or order, or permit any other person to sell or offer for sale any article so mixed, unless the same be so manufactured, used or sold or offered for sale under its true and appropriate name, and notice that the same is mixed or impure is marked, printed or stamped upon each package, roll, parcel or vessel containing the same, so as to be and remain at all times readily visible, or unless the person purchasing the same is fully informed by the seller of the true name and ingredient (if other than such as are known by the common name thereof) of such article of food, drink or medicine, at the time of making sale thereof or offering to sell the same.

GEORGIA.

Food and Drug Act.

1911.

Nothing in the preceding sections of this article shall prohibit the sale, by licensed druggists, of wood or denatured alcohol for art, scientific or mechanical purposes.

The term alcohol is defined to mean ethyl alcohol, of the degree of refinement in the "U. S. Pharmacopoeia."

FLORIDA.

Food and Drug Act.

1911.

An article of food shall be deemed to be misbranded, if (it) fail to bear a statement on the label in conspicuous letters of the quantity or proportion of any alcohol

A drug or food product is misbranded in case it fails to bear a statement on the label in conspicuous letters of the quantity or proportion of any alcohol.

The term "alcohol" is defined to mean common or ethyl alcohol. No other kind of alcohol is permissible in the manufacture of drugs or foods except as specified in the "United States Pharmacopoeia" or "National Formulary."

NEW HAMPSHIRE.
Act of Legislature.
1911.

Section 1. Whoever, by himself, or by his servant, or agent, or as the servant or agent of another person, sells, exchanges or delivers any wood alcohol, otherwise known as methyl alcohol, either crude or refined, or denatured alcohol which contains methyl alcohol, under whatever name or trade mark the same may be called or known, shall affix to the bottle or vessel containing same, a label bearing the words "Poison, not for internal use" in stenciled letters of a similar Gothic type of a size not less than three-quarters of an inch nor more than one and one-half inches in height for use on barrels and kegs. Whoever violates any provision of this section shall pay a fine of not less than \$50 nor more than \$200 for each sale in respect to which the violation occurs.

Section 2. Whoever, himself, etc., sells, etc., any article of food or drink or any drug intended for internal use, containing any wood alcohol (methyl alcohol), either crude or refined, under whatever name or trade mark the same may be called or known, shall be punished by a fine of not less than \$200, or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

NEW HAMPSHIRE.
State Board of Health Law.
Publication of 1915.

Section 1. *Report of Occupational Diseases.* Every physician in this state attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood-alcohol, mercury or their compounds, or from anthrax, or from compressed-air illness, or any other ailment or disease, contracted as a result of the nature of the patient's employment, shall within 48 hours send to the state board of health a report stating:

- (a) Name, address and occupation of patient.
- (b) Name, address and business of employer.
- (c) Nature of disease.

(d) Such other information as may be reasonably required by the state board of health. The reports herein required shall be on or in conformity with the standard schedule blanks hereinafter provided for. The posting of the report, within the time required, in a stamped envelope addressed to the office of the state board of health, shall be a compliance with this section.

Sec. 2. *Blanks for Reports.* The state board of health shall prepare and furnish, free of cost, to the physicians included in section 1, standard schedule blanks for the reports required under this act. The form and contents of such blanks shall be determined by the state board of health.

Sec. 3. *Reports Not Evidence.* Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported.

Sec. 4. *Penalty.* Any physician who neglects or refuses to send the report or reports as herein required shall be liable to the state for a penalty of five dollars for each offense, recoverable by civil action by the state board of health.

Sec. 5. *Transmission of Reports.* It shall furthermore be the duty of the state board of health to transmit a copy of all such reports of occupational disease to the commissioner of labor.

NEW HAMPSHIRE.

Publication of 1915.

This has been adopted by the food and drug laws, and is endorsed by the State Board of Health.

An Act relating to the labeling of wood alcohol.

Be it enacted by the Senate and House of Representatives in General Court convened:

Section 1. No person shall sell, offer for sale, deal in, or supply, or have in his possession with intent to sell, offer for sale, give away, deal in, or supply, any article of food or drink, or any medicinal or toilet preparation or perfume intended for human use internally or externally, which contains any wood naphtha, otherwise known as wood alcohol, or methyl alcohol, either crude or refined, under or by whatever name or trademark the same may be called or known.

Sec. 2. No person shall sell, offer for sale, give away, deal in, or supply any wood naphtha, otherwise known as wood alcohol or methyl alcohol, either crude or refined, under or by whatever name or trademark the same may be called or known, unless the container in which the same is sold, offered for sale, given away, dealt in, or supplied, shall bear a notice containing the following conspicuously printed or stenciled thereon, viz.:

POISON
WOOD NAPHTHA
or WOOD ALCOHOL

WARNING.—It is unlawful to use this fluid in any article of food, beverage, or medicinal or toilet preparation, for human use internally or externally.

Sec. 3. No person shall sell or offer for sale any alcohol which has been denatured by the addition of wood or methyl alcohol, unless the container in which the same is sold or offered for sale shall be conspicuously labeled in red with the words:

Poison. Denatured Alcohol.

Sec. 4. Whoever violates any provision of this act shall be punished by a fine not exceeding two hundred dollars, or by imprisonment not exceeding thirty days, or both such fine and imprisonment. Chapter 16, Laws of 1911, entitled "An act relating to the labeling of wood alcohol," is hereby repealed.

Approved Feb. 17, 1915.

IDAHO.
The Food and Drug Act.
1913.

Section 1398. It shall be unlawful for any person to sell at retail or to furnish any of the poisons of schedules A and B, set out in this section, without affixing or causing to be affixed to the bottle, box, vessel or package, a label with the name of the article and the word poison distinctly shown and with the name and place of business of the seller, all printed in red ink, together with the name of such poisons printed or written thereupon in plain, legible characters.

Wholesale or retail druggists shall not delivery any of the poisons of schedules A and B until he has satisfied himself that the purchaser is aware of its poisonous character and that the poison is to be used for a legitimate purpose. The provisions of this paragraph do not apply to the dispensing of medicines or poisons on physicians' prescriptions.

Schedule B. Nicotine, colchium, conium, hellabore, henbane, phytolacca, strophanthus, arsenical solutions, methyl or wood alcohol, mineral acids, oxalic acid, paris green, salts of lead, salts of zinc, or any drug, chemical or preparation which, according to the Pharmacopoeia and Formulary and Homeopathic Pharmacopoeias is destructive to adult human life in quantities of 60 grains or less.

Whoever shall sell or deliver to any person any poisonous substance specified in Section 1398, without labeling the same and recording the delivery thereof in the manner prescribed in said Section 1398, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than Ten Dollars nor more than One Hundred Dollars.

IDAHO.

Food and Drug Law.

1913.

Section 1135. *Adulterated Spirituous and Malt Liquors.* No person shall within this State, by himself, his servant or as agent of any other person or corporation, manufacture, brew, distill, have or offer for sale, or sell any spirituous or fermented or malt liquors containing any drug, substance or ingredient not a normal constituent in spirituous, fermented or malt liquors, or which may be deleterious or detrimental to health when such liquors are used as a beverage, and the following drugs, substances or ingredients shall be deemed to be not normal in spirituous, fermented or malt liquors, and shall be deemed to be deleterious or detrimental to health when contained in such liquors, to-wit: *Cocculus indicus*, chloride of sodium, copperas, opium, cayenne pepper, picric acid, Indian hemp, strychnine, arsenic, tobacco, daniel seed, extract of logwood, salts of zinc, copper or lead, alum, methyl alcohol and its derivatives, amyl alcohol, and any extract or compound of any of the above drugs, substances or ingredients.

NEVADA.

Food and Drug Law.

1913.

The term "alcohol" is defined to mean common or ethyl alcohol. No other kind of alcohol is permissible in the manufacture of drugs except as specified in the United States Pharmacopoeia or National Formulary.

RHODE ISLAND.

Act of Legislature.

1915.

SECTION 1. Sections 1 and 2 of Chapter 834 of the Public Laws, passed at the January session, A. D. 1912, entitled "An Act in relation to the sale of wood alcohol," are hereby amended so as to read as follows:

"Section 1. Any person who sells, exchanges or delivers to another person any wood alcohol, sometimes known as methyl alcohol, shall affix to the vessel or container holding the same a label bear-

ing the words, "Wood alcohol poison," printed or written thereon in letters not less than one-fourth of an inch in height, and in addition thereto the words "it is unlawful to use this fluid in any article of food or drink, or in any medicinal or toilet preparation, intended to be used internally or externally," printed or written thereon in letters not less than one-eighth of an inch in height. Any person violating the provisions of this section shall be fined not less than fifty dollars, nor more than five hundred dollars.

"Sec. 2. Any person who sells, exchanges or delivers or has in his possession with intent to sell, exchange or deliver, any article of food or drink, or any drug, intended for external or internal use, or perfumes or toilet articles, containing any wood alcohol, sometimes known as methyl alcohol, shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, or by imprisonment for not more than six months, or by both such fine and imprisonment."

SEC. 2. It shall be the duty of the board of food and drug commissioners to prosecute any person, firm or corporation violating the provisions of this chapter and any member of said board may make complaint for the violation of the provisions of this chapter, and such commissioner making such complaint shall not be required to give surety for the payment of costs.

SEC. 3. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

IOWA.

State Board of Pharmacy.

Publication of 1915.

Sec. 4999-a36. Drugs or preparations containing wood or denatured alcohol—sale prohibited.—No person, firm or corporation shall sell, offer, or expose for sale, or have in his possession, any preparation or product intended for use of man or domestic animal, either for internal or external use, or for cosmetic purposes, or for inhalation, or for perfumes, which contain methyl (wood) alcohol, crude or refined, or denatured alcohol.

LOUISIANA.

Food and Drug Regulations. No 32 (a):

1915.

"The term 'alcohol' is defined to mean grain or ethyl alcohol. No other kind of alcohol is permissible in the manufacture of drugs, foods, liquors or waters, except as specified in the United States Pharmacopoeia or National Formulary."

SOUTH DAKOTA.

Food and Drug Law Endorsed by State Legislature.

1915.

III. THE USE AND LABELING OF WOOD ALCOHOL.

This law, which is Senate Bill No. 131, prohibits the use of methyl alcohol, commonly known as wood alcohol, in any article of food or drink or any medicinal or toilet preparation for internal or external use of man, and prescribes a certain form of label for containers of wood alcohol. It is as follows:

Be it enacted by the Legislature of the State of South Dakota:

1. That it shall be unlawful for any person, firm or corporation by himself, herself, itself, or themselves, or by his, her, its or their agents, servants or employees to sell, offer for sale, expose for sale, deal in or supply, or have in possession with intent to sell, offer for sale, deal in or supply or give away any article of food or drink or any medicinal or toilet preparation, intended for human use internally or externally which contains any wood alcohol, or methyl alcohol, either crude or refined, under or by whatever name or trade mark the same may be called, or known.

2. It shall be unlawful for any person, firm or corporation by himself, herself, itself, or themselves, or by his, her, its, or their agents, servants or employees, to sell, offer for sale, expose for sale, deal in or supply or have in possession with intent to sell, offer for sale, give away, deal in or supply any wood alcohol or methyl alcohol, either crude or refined, under or by whatever name or trade mark it may be called or known unless the container in which it is sold, offered for sale, exposed for sale, given away, dealt in or supplied shall bear a notice containing the following device and words conspicuously printed or stenciled thereon:

(Skull and Crossbones)

POISON

WOOD ALCOHOL

WARNING: It is unlawful to use this fluid in any article of food, beverage, medicinal or toilet preparation for human use internally or externally.

3. The State Food and Drug Commissioner shall be charged with the enforcement of this act.

4. The State's Attorney of each county of this State is hereby authorized upon complaint on oath of the Food and Drug Commissioner to prosecute before any Court of competent jurisdiction in the name of the State of South Dakota, a proper action or proceed-

ing against any person or persons violating the provisions of this Act.

5. Any person, firm or corporation, who, by himself, themselves or his or their agents, servants or employees, violates any of the provisions of Sections 1, 2 and 3 of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty (\$50.00) dollars nor more than two hundred (\$200.00) dollars, or by imprisonment in the county jail not more than three months.

6. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Approved March 6th, 1915.

IV. THE SALE OF POISONS BY OTHER THAN REGISTERED PHARMACISTS.

This law, Senate Bill No. 85, permits the sale of poisons by general stores under certain restrictions, one of which is that the stock of poison must be kept separate and apart from the place in which food products are kept for sale in the store. This is the only portion of the law with which the Food and Drug Department is concerned. From the wording of the first section of the law stores which deal only in groceries are not permitted to handle poisons, but those having one or more other departments than food-handling departments may sell the poisons which are enumerated. We construe this law to mean, therefore, that the poisons must be kept in a room or part of the room entirely separate from the place where foods are kept, and inspectors of the Department will see that the law is enforced in this respect. The law follows:

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

1. In any town in this state where there is no registered pharmacist, and there is a merchant handling exclusively goods other than goods used for food, or a merchant who handles goods used for food and who also handles goods other than those used for food in a separate department from that in which goods are handled and sold for food purposes, it shall be competent for any such merchant to sell the poisonous drugs known as Paris Green, Peroxide of Hydrogen, Formaldehyde, Wood Alcohol, Rat Poison, Gopher Poison and Insect Powder, provided, however, that this section shall not apply to the sale of strychnine, arsenic, corrosive sublimate or carbolic acid

2. Such drugs above enumerated, if sold by any such merchant as above provided shall be sold only in original packages, excepting peroxide of hydrogen, be kept separate and apart from any place in which food products are kept for sale within such store, and each package shall be labeled and marked in plain and distinct letters, "Poison" and with the figures of the "skull and crossbones" stamped thereon.

3. Any such merchant selling any such poisonous drugs shall keep a register, and when he sells any of the same, he shall record in his register the name of the purchaser, date of sale, kind of drug sold, amount of same and for what purpose bought, which register shall be open at all times for inspection.

4. No merchant shall have the authority to sell any such poisonous drugs as in the preceding sections provided, until he or they shall have first procured a certificate of authority so to do from the state board of pharmacy. Any such merchant may make written application to such board and upon receipt of such application accompanied by a fee of one dollar, it shall be the duty of such state board of pharmacy to issue a certificate of authority which certificate shall be valid for a period of one year from date of its issuance, and may be renewed upon the application of any such merchant and the payment of the fee prescribed herein.

5. Any person who knowingly violates any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than ten dollars or more than fifty dollars.

Approved March 5th, 1915.

NEW JERSEY.

Publication of 1915.

An act to prohibit the distribution and sale and to regulate the use of foods, drugs and certain other mixtures and preparations, intended for use by man or animal, containing methyl or wood alcohol.

1. No person shall sell, or offer or expose for sale, or have in his possession with intent to distribute or sell any food, drug, preparation or mixture of any kind whatsoever, intended for internal use, which contains methyl or wood alcohol; nor shall any person sell, or offer or expose for sale, or have in his possession with intent to distribute or sell, or use upon or apply to the body of another, any drug, hair tonic, bay rum or similar preparation, intended for external use, which contains methyl or wood alcohol, *provided, however*, that nothing in this section shall apply to veterinary

remedies containing methyl or wood alcohol when such remedies are plainly and distinctly labeled in such a manner as to indicate that they are intended solely for external use on animals.

2. Any person who shall violate any of the provisions of this act shall be liable to a penalty of one hundred dollars for the first offense, and to a penalty of two hundred dollars for the second offense, and to a penalty of three hundred dollars for the third and each subsequent offenses.

6. This act shall take effect immediately.

MASSACHUSETTS.

Publication of 1915.

Wood Alcohol must be labeled "Poison."

SECTION 1. Whoever, himself, or by his servant or agent, as the servant or agent of any other person sells, exchanges or delivers any wood alcohol, otherwise known as methyl alcohol, either crude or refined, or denatured alcohol which contains any methyl alcohol, under or by whatever name or trade mark the same may be called or known shall affix to the bottle or vessel containing the same a label bearing the words "Poison, Not for Internal Use," in red letters of uncondensed Gothic type not less than one-fourth of an inch in height, and the same words, "Poison, Not for Internal Use," in stenciled letters or similar Gothic type of a size not less than three-fourths nor more than one and one-half inches in height for use on barrels and kegs. Whoever violates any provision of this section shall pay a fine of not less than fifty nor more than two hundred dollars for each sale in respect to which the violation occurs.

SECTION 2. Whoever, himself, or by his servant or agent, or as the servant or agent of any other person sells, exchanges or delivers, or has in his possession with intent to sell, exchange or deliver, any article of food or drink, or any drug intended for internal use, containing any wood alcohol, otherwise known as methyl alcohol, either crude or refined, under or by whatever name or trade mark the same may be called or known, shall be punished by a fine of not less than two hundred dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

FEDERAL LAW.

1906.

Section 1. From January 1, 1907, domestic alcohol may be withdrawn from bond without the payment of internal revenue tax, for the use in the arts and industries, and for fuel, light, and power, provided said alcohol shall have been mixed, in the presence

of a Government officer, after withdrawal from the distillery warehouse, with methyl alcohol, or other denaturing material or materials, which will destroy its character as a beverage and render it unfit for liquid medicinal preparations. (Regulations as to the denaturation are given.)

Section 60. Any one using denatured alcohol for the manufacture of any beverage or liquid medicinal preparation, or who knowingly sells any beverage or liquid medicinal preparation, made in whole or in part from such alcohol, becomes subject to the penalties prescribed in Sections 2 of the Act of June 7, 1906.

COMMENTS.

I desire to say, anticipatory of criticisms concerning this series of papers on Ophthalmic Laws, that the data upon which these articles have been founded, have been obtained with great difficulty. Each paper has cost me on an average between 500 and 600 letters, owing to many causes, unnecessary to mention. I can only say that I have done the best I could to secure accurate and reliable information, and if errors have crept in, it has not been my fault. If any mistakes have been made, I would be greatly obliged if some one in possession of the facts would so inform me, and corrections can be made in a supplementary paper at the end of the series. I also wish to say that I have not given space to laws of a thoroughly indefinite character. Take, for instance, the present paper on Wood Alcohol, some states have certain laws rendering it illegal for any one to adulterate foods and drugs, with anything that is injurious to the public. This law might, of course, be assumed to refer to Wood Alcohol, or anything else that is injurious, but I have not deemed such laws sufficiently explicit to warrant their mention in this paper.

33 It will be observed that ~~7~~ states have a law of *some* kind bearing upon Wood Alcohol. Some of these laws emanate from the legislatures, others from the state board of health, others from the pure food and drug commission, others from the dairy and food commission, others from the state board of pharmacy, etc., while, in some states, the law is a joint affair proceeding from two or more of these official organizations. These facts can be ascertained by a perusal of the different state laws enumerated in this paper.

The first law to be passed in the United States, on Wood Alcohol, was by the Maryland legislature in 1904. This was followed, in 1905, by the legislatures of Wisconsin, Minnesota and North Dakota, and by the food and drug commission of Connecticut in the same year. The United States passed a federal law concerning

Wood Alcohol in 1906. The first city to pass a Wood Alcohol law was San Francisco in 1906. New York City passed a law in 1912, and these are the only cities I know of that possess specific laws concerning Wood Alcohol, although there may be others, as I have made no particular inquiries concerning city legislation, as these papers refer only to *state* legislation. In some states the law does not mention Wood Alcohol at all, but the reference to Wood Alcohol is so obvious that the meaning of the law is unmistakeable. This is true in Virginia, California, Louisiana, Kansas, District of Columbia, Connecticut, Florida, Oklahoma and Nevada, where the law declares that Alcohol means *Ethyl* Alcohol, and that *no other kind of Alcohol* is permissible in manufacturing drugs, except as specified in the United States Pharmacopoeia, or in the National Formulary. Wood Alcohol poisoning is a reportable condition in Ohio, Connecticut, Pennsylvania, New Hampshire and New York City. In Connecticut, it must be reported by the Doctor in charge within 48 hours, or a fine of \$10.00 will be imposed. In Pennsylvania, the Doctor must report or be subject to a fine of not more than \$100.00 or imprisonment of not more than one month, or both. In New Hampshire, the Doctor must report within 48 hours or be fined \$5.00. In New York City, Doctors, hospitals, institutions, dispensaries, etc., must report in 24 hours. In Ohio, drugs, drinks, confectionery, condiments and flavoring extracts are considered adulterated if they contain Wood Alcohol. In Wisconsin, the law holds *any* drug or article to be adulterated if it contains Wood Alcohol, except when intended for external use, and then it must be so labeled—and the law distinctly states that flavoring extracts must be made up with ethyl alcohol. Kansas also insists upon the use of ethyl alcohol in manufacturing flavoring extracts, Pennsylvania declares that all flavoring extracts, essences, tinctures, drugs, etc., are adulterated, if they contain wood alcohol. In Minnesota, liquors, drugs, food and drinks are considered adulterated if they contain any form of wood alcohol, and anyone who manufactures the same, or sells them, or even has them in his possession as a business, shall be fined from \$50.00 to \$100.00 or be imprisoned for from 30 to 90 days. Anyone in this state who fails to truthfully label such adulterated articles and who neglects to explain to a purchaser the dangers of wood alcohol, shall be subject to fine or imprisonment. In Massachusetts, all people dealing in drugs, drinks or foods adulterated with wood alcohol, are liable to fine and imprisonment. In Maryland, all extracts, essences, foods, drugs, etc., must not be adulterated with

wood alcohol, and must not be sold, or a fine or imprisonment may be imposed.

In Idaho, the law prohibits the adulteration of liquors. (They seem to be particular about their liquor out there). In New Hampshire, the adulteration or selling of all kinds of food, drinks, drugs, toilet articles, or perfumes, with wood alcohol either for internal or external use is prohibited, under penalty. In New Jersey, no food, drug, mixture, hair tonic, bay rum, etc., shall be kept or sold, containing wood alcohol, without being subject to a fine. In North Dakota, no one shall sell or keep any article either for internal or external use, if it contains wood alcohol. A fine may be imposed for disobedience. In New York City, foods, drugs, drinks, toilet articles, etc., for human use, either internally or externally, must not be adulterated with wood alcohol. No one must use such preparations on the body of another. In New York State, all drugs, foods, liquors, etc., are considered adulterated, if they contain any form of wood alcohol. Such articles must not be kept or sold. Veterinary liniments containing wood alcohol may be kept and sold if properly labeled. In South Dakota, foods, drinks, drugs, etc., for human use, either internally or externally must not be adulterated with wood alcohol. Such articles must not be sold or kept. The same is essentially true in Rhode Island, New Hampshire and South Dakota. A fine is liable for disobedience. In Kentucky, only ethyl alcohol is allowed in the preparation of drugs. In Illinois, no drug, liquor, food, or drink shall be adulterated with any kind of wood alcohol, or sold if so adulterated, under penalty. All articles containing wood alcohol must be so labeled, and purchasers must be informed of its poisonous qualities. In Georgia, whenever alcohol is mentioned in chemical processes, ethyl alcohol is meant. In Colorado, no preparation for humans either for internal or external use, must be adulterated with wood alcohol. The same law exists in Alabama. In South Carolina, no drug or drink shall be adulterated with wood alcohol. In North Carolina, food is considered adulterated if it contains wood alcohol. In Iowa, cosmetics and perfumes must not be adulterated with wood alcohol. In San Francisco, it is illegal to sell or keep drugs, for man, containing wood alcohol. In Rhode Island, no one shall sell or keep any food, drink, drug, toilet article, etc., adulterated with wood alcohol under penalty. The same is true in Maine. Druggists may dispense wood alcohol in a doctor's prescription in Connecticut, Idaho, North Dakota and Montana. In Montana and Iowa, purchasers of wood alcohol must be warned of its danger when in-

haled. The sale of any form of wood alcohol, for either internal or external use, on man or beast, is prohibited in Iowa. In the following states wood alcohol in its various forms may be sold, by wholesale or retail druggists, but, it must always be properly labeled, and the customer must be aware of its poisonous character: Connecticut, Rhode Island, Maine, Minnesota, Massachusetts, Idaho, New Hampshire, New York City, Montana, and South Dakota.

In Virginia, it is illegal to make or sell wood alcohol as a beverage. This is also true in North Carolina. In New Jersey, properly labeled wood alcohol may be sold for veterinary purposes. In Georgia, it is specifically stated in the law, that wood alcohol may be sold for use in the arts, sciences and medicines. In Montana, manufacturers of wood alcohol may sell their product freely provided it is properly labeled, "Poison," together with the name and address of the seller. In South Dakota, provisions are made for the sale of wood alcohol by merchants in towns where there are no registered pharmacists, by stipulating that it is to be sold in original packages, and properly labeled. Records must be kept of the name of the purchaser, the date of the sale, the amount sold, and the purpose for which it is to be used. In Wisconsin, it is illegal to use any kind of wood alcohol inside of a beer vat or tank, in such a manner as to endanger the life or health of workmen. (They evidently feel that Wisconsin's chief industry must be protected.) The United States law relieves "Domestic" alcohol from taxation, to be used in the arts and industries, and for use as fuel, light and power, provided the mixing of the two alcohols which destroys its character as a beverage is done in the presence of a government official. The law forbids the use of denatured alcohol in beverages or drugs.

Any one reading the various laws regulating the sale of the various forms of wood alcohol must be impressed with their general laxity, and the ease with which the laws can be evaded. How easy it would be, for instance, for a purchaser to buy some form of purified or deodorized wood alcohol, on the pretext of using it as a liniment for a horse, or as a polish for silver. Laws of this kind are so easily broken that there might almost as well be no law at all, and in many states there are no laws whatever on this subject. The facts in the case are as follows: There are three kinds of wood alcohol on the market.

1st. The raw, unpurified, foul smelling, and foul tasting wood alcohol.

2nd. Denatured, industrial, or domestic alcohol made of about 90 parts of ethyl alcohol, 10 parts of wood alcohol and some benzine or pyridine.

3rd. The various forms of so-called deodorized or "purified" wood alcohol, which is still wood alcohol, but, with its bad taste, smell and color removed.

Unpurified wood alcohol is so disgusting to smell, and so nauseous to taste that there is little or no temptation to drink or inhale it, and there can be no reasonable objection to its free manufacture and sale to the trades, arts, sciences, etc., either by wholesale or retail. Denatured alcohol is free from taxation, and therefore cheap, and has been rendered disgusting to taste and smell by the addition of wood alcohol, benzine or pyridine. There can therefore be no reasonable objection to its free manufacture and sale. But with deodorized or "Purified" wood alcohol, or Columbian Spirits, or Eagle Spirits, or any of the other numerous names under which deodorized or "Purified" wood alcohol masquerades, the case is different. Here is an article, cheap, and looking, tasting and smelling like ethyl alcohol. This similarity in appearance, etc., is what makes it salable and dangerous. In my judgment it should not even be manufactured, for denatured alcohol is as cheap, if not cheaper, and is probably just as useful. But, if some form of deodorized "Purified" wood alcohol is necessary for a certain few manufacturing purposes, etc., it should be sold for such purposes only, and should never be placed on the retail counters. It should pass directly from its maker to the manufacturer, and any transgression of this programme, should be strictly punished by law.

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STATE LEGISLATION CONCERNING SHOP LIGHTING,
SHOP ACCIDENTS, SHOP CONDITIONS, THE
COMMON TOWEL, ETC.

PAPER NUMBER FIVE.

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The article on shop (etc.) conditions affecting the eyes, as regulated by law, is the poorest outlined of any of the articles of this series, and therefore the most difficult to write. The boundaries of a paper on "Trachoma," "Wood Alcohol," etc., are clearly defined, but there seems to be no well circumscribed limit to the present paper; it might be of almost any length. There are many laws containing no reference whatever to eyes, and yet having (amongst other things) a direct bearing upon these organs, laws regulating belt shifting, lead poisoning, rubber vulcanizing, etc., etc., usually do not mention eyesight at all, and yet vision is at stake in all of them. Very likely eyesight was not even thought of when many of these laws were written, and yet they have an important bearing upon this interesting subject. It will be necessary, therefore, to copy laws bearing upon eyesight, in which eyesight is not mentioned, and it is to be hoped that the reader will not feel that space and time have thereby been unnecessarily wasted.

It should be said in the first place that the eyesight of many workmen is imperiled by the manufacture of wood alcohol—but this is a subject that has been fully discussed in Paper Number Four of this series, and it is therefore not necessary to dwell upon it in this article.

One of the most interesting phases of shop conditions affecting eyes, is the advantages and disadvantages of good and poor lighting. Diseased ocular conditions can undoubtedly be produced by insufficient, excessive or poorly directed illumination. Of course, the first of these is the usual defect, but nevertheless, many shops have excessive and irritating illumination, and many lights are so arranged that they are a positive menace to ocular safety. It is unnecessary to go largely into the subject of shop lighting, etc., because there are now available for all architects and shop owners educated illuminating engineers, who are thoroughly competent to assume the entire burden, and solve it in the best and most scientific manner possible. It is poor economy not to employ such men, for entirely aside from the question of ocular hygiene, it is

unquestionably profitable to properly illuminate working areas. Shops, etc., should be so constructed that daylight (the best of all illuminants) shall be utilized to the best possible advantage, and when artificial illumination is used it should simulate daylight as nearly as possible. Illumination should be ample, but not excessive; it should be evenly diffused and should not fall directly in the eyes; it should come from above, behind and from the left. It should not throw shadows on the work. Bad lighting causes eye-strain and ocular fatigue. Bad lighting causes the workmen to give close and constant attention to the details of his work. Therefore, work which should be accomplished automatically, is only performed by great effort, thus lessening the ordinary output. Besides this, mistakes are likely to occur under this kind of ocular and mental pressure, which means much spoiled material and more liability to accidents. It has been estimated that more than 25 per cent. of shop accidents are due to poor illumination, and it has also been shown that shop accidents are at their minimum during the light days of July and August, and that they increase as the days grow longer and darker. It has been estimated that the proper lighting of steel mills will increase their output 2 per cent. and of textile and shoe factories 10 per cent. The cost of proper shop lighting only costs from one-tenth to one-half of one per cent. of the wages. Thus, if a man earns \$3.00 per day, it would cost about one cent and a half a day to furnish him with adequate illumination. Illuminating engineers are quite united in recommending the tungsten lamp as the best lamp for general use on the market. It gives a good light, closely simulating daylight, and is cheap and durable, the life of a lamp ranging all the way from 1000 to 2000 hours. The efficiency of these lamps can be much enhanced by backing them with bowl shaped white porcelain enameled reflectors. Lamps and reflectors are more efficient if they are kept clean. White walls and woodwork, and clean windows will also add about 20 per cent. to the efficiency of natural and artificial illumination. The conclusion is, therefore, that proper lighting of shops, etc., preserves eyesight, improves the efficiency of labor, increases the manufactured output, and therefore the profits; is economical and cheap and decreases accidents. There are, therefore, no possible objections to its use, and proper, natural and artificial illumination of shops, etc., should be required by law. Another cheap and efficient method of avoiding accidents in shops and of increasing the working efficiency, is the wearing of suitable goggles while working at certain avocations, such as the use of emery wheels, revolving saws, chipping, hammering, etc. It

should never be forgotten that eyesight is one of the most important requisites to good work and that anything that conserves vision is profitable to both employer and employe. In fact, all kinds of safety devices in shops increase the efficiency of labor, and this means more and better work, and consequently more profit to the owner. This is entirely aside from the benefit to the men who escape injury, and from the added cost to the owner in caring for the injured men, paying for litigation and paying for verdicts against the owner. It may, perhaps, best be stated here that the Pullman Company have estimated that 35 per cent. of all shop injuries are eye injuries. It is, of course, not always easy to get men to wear goggles, even when they are freely furnished to them without cost. Some men seem to think it is cowardly to wear them, others do not want to be bothered, others think they interfere with their work, and others do not wear them from dense ignorance and sheer doggedness. Nevertheless, goggles are being worn more and more, as men become increasingly intelligent as to their usefulness and see frequent physical demonstrations of ocular salvation through goggles. Many laborers are densely ignorant foreigners, who should be constantly educated concerning the great utility of such protectives. Goggles are cheap and employers can amply afford to furnish them free of cost to their help. They should, moreover, be required to do this by law. Most factories are glad to do this, and they are being used more and more as time progresses. There are many different kinds of goggles on the market, and some of them are open to serious objections. Mica, for instance, is not clear nor strong enough. Besides this it scratches easily and becomes opaque when struck. Celluloid has most of the objections of mica, and in addition it burns and explodes easily. Wire gauze cuts off from 15 to 35 per cent. of the illumination, is confusing and diminishes vision. If the mesh is dark, light is absorbed, and if white, gilt or nickel gauze is used, the mesh causes annoying reflections. If glass in combination with gelatine or celluloid is used, distant objects are distorted, and the imperfections in the glass cannot be eliminated. Ordinary brittle glass is dangerous, and eyes are sometimes injured and lost from splintered fragments. Opticians now make very tough, thick and clear glass for goggles, and this is the best material we know of at the present time. This kind of glass is made to withstand blows, and one kind has been tested as follows. A hardened steel ball $\frac{5}{8}$ inch in diameter, was dropped from a height of 21 inches on the unsupported glass, 35 times without breaking it. Glass goggles of this kind have saved many eyes

from injury, and should be worn by all workmen, needing such protection. The glass can be ground to correct the man's refraction, and can be sterilized, as no velvet or soft material is used in their construction. The glasses should be large, and should have wire screens at the sides. They can be worn with comfort. In the American Steel Foundries shops, eye accidents were reduced 75 per cent. in two years, by wearing such protectives. It is interesting to learn the kind of eye accidents produced in one steel mill out of 275 cases of injury. The following table will show the result of the investigation:

Hammering	101	Emery wheels	56
Molten metal	47	Electric flash	27
Rivetting	16	Machine tools	16
Bursting of water and lubricating glasses	7	Belting	5

Such accidents can be very much reduced by wearing goggles, and by taking other evident precautions. Most hammering accidents are caused by using tools with burred or mushroomed edges. Workmen should keep their tools in good condition. Emery wheel accidents can be much reduced by using hoods on the machines. Glass or leather guards should be used, and the exhaust system by which dust particles, etc., are sucked away should be employed. It is interesting and shocking to carefully examine the cornea of a workman who has operated an emery wheel for a long time. The cornea will almost always be found speckled with little scars from emery dust injuries, received from time to time. Vision is, of course, correspondingly diminished. If a workman wears glasses or goggles while at work, the lenses will be found well scratched by flying emery particles. Molten metal accidents can be reduced by exercising great care in handling the metal, and by having protectives around the vat. Of course, goggles should be used in all these trades. Electric flashes can be avoided by using enclosed switches and fuse boxes. Bare fuses, switches, terminals, etc., are dangerous on account of electric shock, which may occur through accidental contact with them, as well as from their liability to cause injuries. Injuries from rivetting can best be avoided by care and the use of goggles. In working with machine tools, such as milling machines, shapers, etc., a chip guard should be used. This is a small frame containing a piece of plate glass, and is of great assistance in preventing pieces of metal from flying into the eyes. Water and lubricating glass accidents, can be reduced by using the best glass, and by protecting the glass with

suitable guards, as the contents are under constant and strong steam pressure. Belting accidents from broken belts are usually caused by the use of hooks, lacings, etc., in making a joint, which does not develop the full strength of the belt. Under these conditions the belt is only as strong as its weakest part, and an accident is exceedingly liable to occur. Endless or glued joint belts should be used. Many accidents occur by replacing a belt on a pulley by means of a stick. This is very dangerous and should only be done by experienced men, in emergency cases. Excessive light or heat in shops, such as steel shops, where electric steel welding, etc., is done produces retinal and other eye injuries. The temperature in these furnaces is extremely high and the light correspondingly brilliant. In cast iron furnaces a temperature of about 2,000° F. while in electric welding the heat rises to 12,000° F. It can be readily believed that heat and glare of such intensity can produce retinal and optic nerve injuries and burns of the skin, conjunctiva and cornea. Workmen under these conditions should look at the fire through a screen of blue and red glass, as these colors are best adopted for the purpose. While the glass mitigates the heat in doing electric welding, the worker should also use an aluminum helmet. Retinal conditions produced from grinding carbon or manganese steel where the worker looks constantly into a steady stream of sparks, can best be combated by wearing amber goggles. Before leaving the subject of working under great heat and glare, the fact that glass blowers are apt to develop cataract must not be forgotten. This danger can be much lessened by the wearing of amber or blue goggles. Burnishers of silver, etc., where the eyes look long and steadily upon a highly polished surface, are frequently afflicted with abnormal retinal conditions, which could be obviated by using amber goggles.

Perhaps this will be as good a place as any to protest against the time honored institution known as the "Shop Oculist," and to advocate that he be deprived from following his highly dangerous occupation, by due process of law. In almost all shops, there will be found a man who acquires the reputation of being skillful at removing foreign bodies from the eyes of his fellow workmen. He is called the "Shop Oculist," and works with dirty tools and dirty hands, with no pretense of asepsis. He is frequently successful in his efforts, but from time to time, eyes are injured or lost, through this highly improper and injurious method of handling, what are apparently trifling injuries. Such practices should be prohibited by law. Workmen and doctors should never

regard eye injuries as trivial. Many eyes are annually injured or lost, by a disregard of this principle, as the eye is most sensitive to damage and infection, and a slight injury, that ulcerates, and scars, may reduce vision to a very low degree; or the eye may become more and more infected until its removal becomes necessary. Respect "slight" ocular injuries, and much eyesight, misery, and money will be saved. Even general surgeons are not always competent to care for ocular injuries, and as a general proposition it may be stated, that it would be much better for all concerned, if *all* eye injuries, no matter how slight in character they may be, were sent *at once* to a competent eye surgeon. I desire also to advocate the usefulness and economy both to employer and employe, of a careful examination of all employes' eyes before they are employed. The better the eye, the better the work, and if employes need glasses or treatment, in order to improve their vision, to a good working standard, it will pay all parties concerned to see that this is done. Another very useful purpose to be accomplished by this systematically examining the eyes of all employes, would be, that the visual acuity of employes would be known, when they first go to work. Injured men often assert, that their eyes have been damaged during service, and that before some accident happened, their vision was perfect, but that after the accident, the vision of one or both eyes, become very much diminished. If the records could show the visual condition upon applying for work, many suits for damage, could be immediately stopped or settled upon fair and intelligent grounds. Great attention should be given to those occupations in which poisons enter the body and injure vision by inhalation, etc. Amongst these may be mentioned di-nitro benzene which is used in mining and in manufacturing aniline dyes. Its ill effects can be prevented by ventilation, and by using closed mixing vessels in its preparation. Bisulphide of carbon used in vulcanizing rubber produces a vapor which injures sight. Nicotine may be absorbed in tobacco factories, and arsenic in paper hangers and painters. Many eyes are injured in the various trades where lead is employed—such as plumbers, painters, etc. Ventilation, cleanliness and other precautions, will do much to minimize the danger. The use of high explosives in mining, railroad construction, etc., should be restricted by law. Bursting bottles in charged water factories, and lime burns in masons, bricklayers, plasterers, etc., often produce eye injuries. Miners should be protected from injuring their eyes, in the prosecution of their labor. Not only may their eyes be

injured by explosions, etc., but poor vision, nystagmus, etc., may be produced by working under ground, by poor light, looking upwards, and working while lying on their backs. The list of occupations hazardous to eyesight, might be greatly extended, but enough has been said to show, that vision may be injured in almost all occupations, that great precaution should be taken to protect this important organ, and that wherever legal protection is possible, it should be taken, and that laws thus enacted should be observed, or punishment exacted by those officials, whose duty it is, to see that laws are not broken.

The shop laws of the various states having a direct or indirect bearing upon eyesight, will now be given. It will be observed that no mention of vision is made in many of these laws, such as the laws concerning lead poisoning, belt shifting, emery dust, etc., and yet such laws have a direct bearing upon eyesight, and must be mentioned in a paper of this character.

DISTRICT OF COLUMBIA.

Law of Commissioners.

1897.

3. That no person, being the owner, proprietor, lessee, manager, or superintendent of any store, factory, workshop, or other structure or place of employment where workmen or workwomen are employed for wages, shall cause, permit, or allow the same, or any portion or apartment thereof, or any room therein, to be over-crowded, or inadequate, faulty, or insufficient in respect of lighting, heating or ventilation.

Law of Commissioners.

1916.

Sec. 1. No person shall provide or expose any towel or similar article for use by the public generally in any place under his control, or allow any towel or similar article to be so provided, exposed, or used there, unless such towel has been thoroughly cleansed since last used.

Sec. 2. Any person who violates any of the provisions of this regulation shall, on conviction thereof, be punished by a fine not exceeding twenty-five dollars.

Sec. 3. This regulation shall take effect on and after February first, nineteen hundred and sixteen.

Sec. 1. No person shall provide or expose for common use, or permit to be provided or exposed for common use, in any hotel, restaurant, lunch room, store, shop, school, office building, place of amusement, or any similar establishment, any article named below, unless it has been thoroughly cleansed since last used; that is to say, any cup, mug, glass, fork, spoon, finger bowl, jar, spirometer, mouthpiece, napkin, towel or similar article.

CONNECTICUT.

State Board of Health.

Publication of 1902.

Sec. 4516. Sanitary condition of factories. All factories and buildings where machinery is used shall be well lighted, ventilated, and kept as clean as the nature of the business will permit. The belting, shafting, gearing, machinery, and drums, of all factories and buildings where machinery is used, when so placed as, in the opinion of the inspector, to be dangerous to the persons employed therein while engaged in their ordinary duties, shall, as far as practicable, be securely guarded. No machinery other than steam engines in a factory shall be cleaned while running after notice forbidding the same is given by the inspector to the owners or operators of the factory.

Sec. 4522 Penalty for violation of orders. Every owner, lessee, or occupant of a factory or building included within the provisions of this chapter, or owning or controlling the use of any room in such building, shall, for the violation of any provision of Sec. 4516, or for obstructing or hindering the inspector of factories in carrying out the duties of his office, be fined not more than fifty dollars but no prosecution shall be brought for any such violation until four weeks after notice has been given by the inspector to such owner, lessee, or occupant of any changes necessary to be made to comply with the provisions of said sections, and not then, if, in the meantime, such changes have been made in accordance with such notification. Nothing herein shall limit the right of a person injured to bring an action to recover damages.

Sec. 4529. Sanitary condition of workrooms. The person operating said workrooms shall keep the same at all times in a clean and sanitary condition, properly lighted, ventilated, and fit for the occupancy of the persons engaged in work therein. The inspector or any of his special agents shall notify the owner of such premises, and the person using the same for the purposes set forth in Sec. 4527 to provide ample means for lighting or ventilating such workrooms, and to put the same in a clean, sanitary, and fit condition for occupancy for said work; and if said notification be not complied with in thirty days after the service of such notice, said inspector or any of his special agents shall cause complaint to be made to the proper prosecuting authority.

Use of Stained Glass Windows Forbidden: Every person, firm or corporation, using stained, painted or corrugated glass in factory windows, where the same is injurious to the eyes of the workmen therein, shall remove the same upon the order of the factory inspector.—Gen. Statutes 1902, Sec. 4518.

CONNECTICUT.

Legislature.

1913.

Removal of Excessive Dust: Sec. 1. Every employer whose business requires the operation or use of any emery, tripoli, rouge, corundum, stone, carborundum, or other abrasive, polishing, or buffing wheel in the manufacture of articles of metal or iridium, or whose

business includes any process which generates an excessive amount of dust, shall install and maintain in connection therewith such devices as may be considered necessary by the factory inspector and state board of health to remove from the atmosphere any dust created by such process. The factory inspector, with the state board of health, shall issue to any employer engaged in such business any orders necessary to render effective the foregoing provision, and if within sixty days from the issuance of such order stating the changes to be made, such order shall not be complied with, the factory inspector may order such department closed until such order is complied with.

Sec. 2. The violation of any provision of the foregoing section or the failure to comply with any written order issued in accordance therewith within sixty days thereafter shall constitute a misdemeanor punishable by a fine of not more than five hundred dollars for each offense, and every such order shall be enforceable by the superior court or by a judge thereof if said court is not in session, by injunction on application of the factory inspector or of the state board of health.—Public Acts 1913, Chap. 208.

KANSAS.

Legislature.

1909.

Sec. 8019. The commissioner, as state factory inspector [or deputy state factory inspector], shall have power to enter any factory or mill, workshop, private works or state institutions which have shops or factories, when the same are open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this act, and to examine into the methods of protection from danger to employes and the sanitary conditions in and around such buildings and places, and to make a record thereof of such inspection. If the commissioner as state factory inspector [or deputy state factory inspector] shall find upon such inspection that the heating, lighting, ventilation or sanitary arrangement of any workshops or factories is such as to be injurious to the health of the persons employed or residing therein, or that the means of egress in case of fire or other disaster are not sufficient, or that the belting, shafting, gearing, elevators, drums, saws, cogs and machinery in such workshops and factories are located or are in a condition so as to be dangerous to employes, and not sufficiently guarded, or that vats, pans, or any other structures, filled with molten metal or hot liquid, are not surrounded with proper safeguards for preventing accidents or injury to those employed at or near them, he shall notify, in writing, the owner, proprietor or agent of such workshops or factories to make, within thirty days, the alterations or additions by him deemed necessary for the safety and protection of the employees; and if such alterations or additions are not made within thirty days from the date of such written notice, or within such time as said alterations or additions can be made with proper diligence upon the part of such proprietors, owners, or agents, said proprietors, owner, or agents so notified shall be deemed guilty of a misdemeanor, and upon complaint of the commissioner as state factory inspector before a court

of competent jurisdiction, and upon conviction thereof, shall be fined in a sum not less than \$25 nor more than \$200, or by imprisonment not more than ninety days, or by both such fine and imprisonment.

RHODE ISLAND.

Legislature.

1910.

Sec. 9. If the factory inspectors, or either one of them, find that the heating, lighting, ventilation, or sanitary arrangement of any shop or factory is such as to be injurious to the health of the persons employed therein, or that the means of egress in case of fire or other disaster is not sufficient or in accordance with all the requirements of law, or that the belting, shafting, gearing, elevators, drums, and machinery in shops and factories are located so as to be dangerous to employes, and not sufficiently guarded, or that the vats, pans, or structures filled with molten metal or hot liquid are not surrounded with proper safeguards for preventing accident or injury to those employed at or near them, either or both shall notify the proprietor of such factory or workshop to make the alterations or additions necessary within ninety days; and if such alterations or additions are not made within ninety days from the day of such notice, or within such time as such alterations can be made with proper diligence upon the part of said proprietors, said proprietors or agents shall be deemed guilty of violating the provisions of this chapter, subject, however, to the right of appeal as hereinafter provided.

COLORADO.

Legislature.

1911.

Safety Appliances: Sec. 2. That any person, firm, corporation or association operating a factory, mill, workshop, bakery, laundry, store, hotel or any kind of an establishment wherein laborers are employed, or machinery used shall provide and maintain in use belt shifters or other mechanical contrivance for the purpose of throwing on or off belts or pulleys while running, where the same are practicable with due regard to the nature and purpose of said belts and the dangers to employes therefrom; also reasonable safeguards for all vats, pans, trimmers cut-offs, gang edger and other saws, planers, cogs, gearings, beltings, shaftings, couplings, set screws, line rollers, conveyors, manglers in laundries, and machinery of other or similar description, which it is practicable to guard, and which can be effectively guarded with due regard to the ordinary use of such machinery and appliances, and the dangers to employes therefrom, and with which the employes of any such factory, mill, or workshop are liable to come in contact while in the performance of their duties; and if any machinery, or any part thereof, is in a defective condition, and its operation would be extra hazardous because of such defect, or if any machinery is not safeguarded as provided in this act, the use thereof is prohibited, and a notice to that effect shall be attached thereto by the employer immediately upon receiving notice of such defect or lack of safeguard, and such notice shall not be removed until said

defect has been remedied or the machine safeguarded as herein provided.

Legislature.

1915.

Compensation for the loss of an eye.

The loss of an eye by enucleation, 139 weeks.

Total blindness of one eye, 104 weeks.

The loss of both hands or both arms, or both feet or both legs, or both eyes, or of any two thereof, shall prima facie constitute total and permanent disability, to be compensated according to the provisions of this section. Provided, that, where the disability comes under this section, and where the employer or the Commission obtains other suitable employment for such disabled person which he can perform and which in all cases shall be subject to the approval of the Commission, the disabilities set out in this paragraph shall not constitute permanent total disability, but such partial disability as may be determined by the Commission after a finding of the facts.

Sec. 13. Any person who shaves another person afflicted with syphilis, eczema, blood poison, or any skin disease, who does not, before he or she again uses their tools and towels, subject them to disinfection, by boiling, shall be guilty of a misdemeanor, and shall be punished accordingly.

OREGON.

Legislature.

1911.

Section 5040. That any person, firm, corporation or association operating a factory, mill or workshop where machinery is used, shall provide and maintain in use belt-shifters or other mechanical contrivances for the purpose of throwing on or off belts or pulleys while running, where the same are practicable, with due regard to the nature and purpose of said belts and the dangers to employes therefrom; also reasonable safeguards for all vats, pans, trimmers, cut-off, gang edger, and other saws, planers, cogs, gearing, belting, shafting, coupling, set screw, live rollers, conveyors, mangles in laundries, and machinery of other or similar descriptions, which it is practicable to guard, and which can be effectively guarded with due regard to the ordinary use of such machinery and appliances, and the dangers to employes therefrom, and with which the employes of any such factory, mill or workshop are liable to come in contact while in the performance of their duties; and if any machine, or any part thereof, is in a defective condition and its operation would be extra hazardous because of such defect, or if any machine is not safeguarded as provided in this act, the use thereof is prohibited, and a notice to that effect shall be attached thereto by the employer immediately on receiving notice of such defect or lack of safeguard, and such notice shall not be removed until said defect has been remedied or the machine safeguarded as herein provided.

INDIANA.

Legislature.

1911.

Sec. 9. It shall be the duty of the owner of any aforesad establish-

ment, or his agent, superintendent or other person in charge of the same to furnish and supply, or cause to be furnished and supplied therein, in the discretion of the chief inspector, where machinery is used, belt shifters or other safe mechanical contrivances for the purpose of throwing on or off belts or pulleys; and whenever possible, machinery therein shall be provided with loose pulleys; all vats, pans, saws, planers, cogs, gearing, belting, shafting, set screws and machinery of every description therein shall be properly guarded, and no person shall remove or make ineffective any safeguard around or attached to any planer, saw, belting, shafting or other machinery, or around any vat or pan, while the same is in use, unless for the purpose of immediately making repairs thereto, and all such safeguards shall be promptly replaced. By attaching thereto a notice to that effect, the use of any machinery may be prohibited by the chief inspector, should such machinery be regarded as dangerous. Such notice must be signed by the chief inspector, and shall only be removed after the required safeguards are provided, and the unsafe or dangerous machine shall not be used in the meantime. Exhaust fans of sufficient power shall be provided for the purpose of carrying off dust from emery wheels and grindstones and dust-creating machinery from establishments where used. No person under sixteen years of age, and no female under eighteen years of age, shall be allowed to clean machinery while in motion.

State Board of Health.

1914.

Rule 38. THE COMMON TOWEL.—The use of common towels in schools is condemned and such use is prohibited. Each pupil must have an individual towel, or sanitary paper towels shall be provided.

Legislature.

1915.

Compensation for the loss of an eye.

(d) For the permanent and irrecoverable loss of the sight of one eye or its reduction to one-tenth of normal vision with glasses, 100 weeks.

LOUISIANA

State Board of Health.

1911.

(a) The use of a common towel, or towel to be used in common, by the employes, patrons, frequenters of or the public in any room, closet, pantry, lavatory or washroom in, or attached to any public place, railroad station, boarding house, restaurant, steamboat, saloon, hotel, warehouse, public office, store, factory, workroom, used by the public, or where persons are employed, is forbidden.

Lavatory; Food Supply Establishments.

(b) No person, or corporation, in charge of any place specified in, or within the intent of, Section (a) of this article, whether such charge is as principal or agent, shall furnish such common towel, or towel in common.

133. No barber shall use for the service of a customer any towel or wash cloth that has not been boiled and laundered since last used.

395. Every owner, lessee and tenant and manager of any boarding house or manufactory, shall cause every part thereof, and its appurtenances to be put, and shall thereafter cause the same to be kept, in a cleanly and wholesome condition, and shall speedily cause every department thereof in which any person may sleep, dwell, or work, to be adequately lighted and ventilated; and, if the same be a manufactory, shall cause every part thereof in which any person may work, to be maintained at such temperature, and be provided with such accommodation and safeguards, as not, by reason of the want thereof, or of anything about the condition of such manufactory or its appurtenances, to cause any unnecessary danger of detriment to the life or health of any person being properly therein or thereat.

MISSOURI.

Legislature.

1913.

Sec. 1. That every employer of labor in this state, engaged in carrying on any work, trade or process which may produce any illness or disease peculiar to the work or process carried on, or which subjects the employe to the danger of illness or disease incident to such work, trade or process, to which employes are exposed, shall, for the protection of all employes engaged in such work, trade or process, adopt and provide approved and effective devices, means or methods for the prevention of such industrial or occupational diseases as are incident to such work, trade or process.

Sec. 2. The carrying on of any process, or manufacture, or labor in this state in which antimony, arsenic, brass, copper, lead, mercury, phosphorus, zinc, their alloys or salts or any poisonous chemicals, minerals, acids, fumes, vapors, gases, or other substances, are generated or used, employed or handled by the employes in harmful quantities, or under harmful conditions, or come in contact with in a harmful way, are hereby declared to be especially dangerous to the health of the employes.

Sec. 3. Every employer in this state to which this act applies shall provide for and place at the disposal of the employes so engaged, and shall maintain in good condition without cost to the employes, working clothes to be kept and used exclusively by such employes while at work, and all employes therein shall be required at all times while they are at work to use and wear such clothing; and in all processes of manufacture or labor referred to in this section which are productive of noxious or poisonous dusts, adequate and approved respirators shall be furnished and maintained by the employer in good condition and without cost to the employes, and such employes shall use such respirators at all times while engaged in any work productive of noxious or poisonous dusts.

Sec. 4. Every employer engaged in carrying on any process or manufacture referred to in section 2 of this act, shall, as often as once every calendar month, cause all employes who come into direct contact with the poisonous agencies or injurious processes referred

to in section 2 of this act, to be examined by a competent licensed and reputable physician for the purpose of ascertaining if there exists in any employe any industrial or occupational disease or illness or any disease or illness due or incident to the character of the work in which the employe is engaged.

Sec. 5. It is hereby made the duty of any licensed physician who shall make a physical examination of any employe under the provisions of section 4 of this act, to make within twenty-four hours a triplicate report thereof to the state board of health of the state of Missouri upon blanks to be furnished by said board upon request, and if any such disease or illness is found, the physician shall so report, and if any such disease is found, the report shall state the name and address and business of such employer and the nature of the disease in precise and definite terms of all the diseases or illness with which the employe is afflicted and the probable extent and duration thereof, the name and business of employer, and the last place and length of employment: Provided, that the failure of any such physician to receive blanks from the state board of health for making such a report shall not excuse the physician from making the report as herein required. Any physician who shall fail to make a report as required by this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars (\$50.00), and in each case shall stand committed until such fine and costs are paid unless otherwise discharged by due process of law.

Sec. 6. The secretary of the state board of health shall, immediately upon receipt of any report from any physician in accordance with the provisions of section 5 of this act, transmit a copy thereof to the state factory inspector, and a copy to the superintendent of the factory in which the employe is supposed to have contracted his ailment.

Sec. 7. Every employer engaged in carrying on any process or manufacture or labor referred to in section 2 of this act, shall provide, separate and apart from the workshop in which such employes are engaged, a dressing room and lavatory for the use of such employes who are exposed to poisonous or injurious dusts, fumes and gases, and such lavatory shall be kept and maintained in a hygienic and sanitary manner and provided with a sufficient number of basins or spigots with adequate washing facilities, including hot and cold water, clean individual towels and soap, and sufficient shower baths, and the dressing room shall be furnished with compartment lockers, so that the ordinary street clothes of such employes shall be kept separate and apart from their working clothes. Male and female employes shall be provided for separately.

Sec. 8. No employe shall take or be allowed to take any food or drink of any kind into any room or apartment in which any process or manufacture or labor referred to in section 2 of this act is carried on, or in which poisonous substances or injurious or noxious fumes, dusts or gases, are present as the result of such work or process being carried on in such room or apartment, and the employes shall not remain in any such room or apartment during the

time allowed for meals, and suitable provision shall be made and maintained by the employer for enabling the employes to take their meals elsewhere in such place of employment, and a sufficient number of sanitary drinking fountains containing wholesome drinking water, and providing ice for same, shall be provided and maintained for the use of the employes within reasonable access and without cost to them.

Sec. 9. All employers engaged in carrying on any process of manufacture or labor referred to in section 2 of this act shall provide and maintain adequate devices for carrying off all poisonous or injurious fumes from any furnaces which may be employed in any such process or manufacture or labor, and shall also provide and maintain adequate and efficient facilities for carrying off all injurious dust, and the floors in any room or apartment where such work or process is carried on shall be kept and maintained in a smooth and hard condition, and no sweeping shall be permitted during working hours except where the floor in such workshop is dampened so as to prevent the raising of dust; and all ore, slag, dross and fume shall be kept in some room or apartment separate from the work occupied by the employes, and all mixing and weighing of such ore, slag, dross or fume shall be done in such separate room or apartment, and all such material shall be dampened or covered before being handled or transported by employes.

Sec. 10. When any flues or other apparatus are used in any such process or manufacture or labor referred to in section 2 of this act, and when such flues or other apparatus are being cleaned or emptied, the employer shall in every case provide and maintain a sufficient, adequate and efficient means or device, such as canvas bags or other approved device, or by dampening the dust, or some other efficient method for catching and collecting the dust and preventing it from unreasonably fouling or polluting the air in which the employes are obliged to work, and, wherever practicable, the dust occasioned in any process or manufacture referred to in section 2 of this act, and in any polishing or finishing therein, shall be dampened or wet down or covered, and every reasonable precaution shall be adopted by the employer to prevent the unnecessary creation or raising of dust, and all floors shall be washed or scrubbed at least once every working day; and such parts of the work or process as are especially dangerous to the employes, on account of poisonous fumes, dusts and gases, shall, where practicable, be carried on in separate rooms and under cover of some suitable and efficient device to remove the danger to the health of such employes as far as may be reasonably consistent with the manufacturing process, and the fixtures and tools employed in any such process or manufacture or labor shall be thoroughly washed and cleaned at reasonable intervals.

Sec. 11. All hoppers or chutes or similar devices used in the course of any process or manufacture referred to in section 2 of this act shall be provided with a hood or covering, and an adequate and efficient apparatus or other proper device for the purpose of drawing away from the employes noxious, poisonous or injurious

dusts, and preventing the employes from coming into unnecessary contact therewith; and all conveyances or receptacles used for the transportation about or the storage in any place where any such process or manufacture or labor referred to in section 2 of this act is carried on, shall be properly covered or dampened in such a way as to protect the health of the employes, and no refuse of a dangerous character incident to the work or process carried on in any such place shall be allowed to remain accumulated on the floors thereof.

Sec. 12. It shall be the duty of the state factory inspector to enforce the provisions of this act and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this state, and for that purpose the state factory inspector and his assistants are empowered to and shall visit and inspect, at least once a year, and at reasonable hours, and as often as practicable, all places of employment covered by the provisions of this act.

Sec. 13. For the purpose of disseminating a general knowledge of the provisions of this act and of the dangers to the health of employes in any work or process covered by the provisions of this act, the employer shall post in a conspicuous place in every room or apartment in which any such work or process is carried on, appropriate notices of the known dangers to the health of any such employes arising from such work or process, and simple instructions as to any known means of avoiding, so far as possible, the injurious consequences thereof, and the state factory inspector shall have prepared a notice covering the salient features of this act, and furnish a reasonable number of copies thereof to employers in this state affected by the provisions of this act, which notice shall be posted by every such employer in a conspicuous place in every room or apartment in such place of employment. The notices required by this section shall be printed on cardboard of suitable character and the type used shall be such as to make them easily legible.

Sec. 14. Any person, firm or corporation who shall, personally or through any agent, violate any of the provisions of this act, or who fails or refuses to comply with any of its requirements, or who obstructs or interferes with any examination or investigation being made by the state department of factory inspection in accordance with the provisions of this act, or any employe who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00), and in each case shall stand committed until such fine and costs are paid, unless otherwise discharged by due process of law.

Sec. 15. In this act, unless the context otherwise requires, "employer" includes persons, partnerships and corporations.

Sec. 7828. Belting, etc., to be guarded: The belting, shafting, machines, machinery, gearing and drums, in all manufacturing, mechanical and other establishments in this state, when so placed as to be dangerous to persons employed therein or thereabout while engaged in their ordinary duties, shall be safely and securely guarded when possible; if not possible, then notice of its danger shall be conspicuously posted in such establishments. (Amended, Laws 1909.)

Sec. 7842. Health and safety of factory employes to be guarded: Whenever the factory inspector, or assistant inspector, finds that the heating, lighting, ventilation or sanitary arrangements of any establishment where labor is employed is such as to be dangerous to the health or safety of employes therein or thereat, or the means of egress, in case of fire or other disaster, are not sufficient, or that the building, or any part thereof, is unsafe, or that the belting, shafting, gearing, elevators, drums or other machinery are located so as to be dangerous to employes, and not sufficiently guarded, or that the vats, pans, ladles or structures filled with molten or hot liquid, or any furnace, be not sufficiently surrounded with proper safeguards, or the platforms, passageways and other arrangements around, in or about any railroad yard or switch be such as to probably lead to injury or accident to those employed in, around or about any such establishment or place, the factory inspector or assistant inspector shall at once notify the person or persons in charge of such establishment or place to make the alterations or additions necessary within thirty days; and if such alterations or additions be not made within thirty days from the date of such notice, or within such time as said alterations could be made with proper diligence, then such failure to make such alterations shall be deemed a violation of this article. (Amended, Laws 1909.)

PENNSYLVANIA.
State Board of Health.
1913.

Second: "No person, persons or corporation within the Commonwealth of Pennsylvania shall furnish for public use any towel unless such towel be laundered or discarded after each individual use."

Third: "Barbers are hereby forbidden to use a common brush for brushing the eyes of their patrons unless such brush be disinfected after each individual use."

Dept. of Labor and Industry.
1914.

Sec. 1. Be it enacted, etc., That every employer shall, without cost to the employes, provide reasonably effective devices, means, and methods to prevent the contraction by his employes of any illness or disease incident to the work or process in which such employes are engaged in the industries and occupations specified in section 2 of this act.

Sec. 2. Every work or process in the manufacture of white lead, red lead, litharge, sugar of lead, arsenate of lead, lead chromate, lead sulphate, lead nitrate, or fluo-silicate is hereby declared to be especially dangerous to the health of the employes who, while engaged in such work or process are exposed to lead dusts, lead fumes, or lead solutions.

Sec. 3. Every employer shall, without cost to the employes, provide the following devices, means, and methods for the protection of his employes, who, while engaged in any work or process included in section 2, are exposed to lead dusts, lead fumes, or lead solutions:

(a) The employer shall provide and maintain workrooms, adequately lighted and ventilated, and so arranged that there is a continuous and sufficient change of air; and all such rooms shall be fully separated by partition walls from all departments in which the work or process is of non-dusty character; and all such rooms shall be provided with a floor permitting an easy removal of dust by wet methods or vacuum cleaning, and all such floors shall be so cleaned daily.

Every work or process referred to in section 2, including the corroding or oxidizing of lead, and the crushing, mixing, sifting, grinding and packing of all lead salts or other compounds referred to in section 2, shall be so conducted, and such adequate devices provided and maintained by the employer, as to protect the employe as far as possible from contact with lead dust or lead fumes. Every kettle, vessel, receptacle, or furnace in which lead, in any form referred to in section 2, is being melted or treated, and any place where the contents of such kettles, receptacles, or furnaces are discharged, shall be provided with a hood connected with an efficient air-exhaust; all vessels or containers, in which dry lead in any chemical form or combination referred to in section 2 is being conveyed from one place to another within the factory, shall be equipped, at the places where the same are filled or discharged, with hoods having connection with an efficient air-exhaust; and all hoppers, chutes, conveyors, elevators, separators, vents from separators, dumps, pulverizers, chasers, dry pans, or other apparatus for drying pulp lead, dry-pans, dump, and all barrel packers and cars, or other receptacles into which corrosions are at the time being emptied, shall be connected with an efficient dust-collecting system; such system to be regulated by the discharge of air from a fan, pump, or other apparatus, either through a cloth dust-collector, having an area of not less than one-half square foot of cloth to every cubic foot of air passing through it per minute, the dust-collector to be placed in a separate room, which no employe shall be required or allowed to enter except for essential repairs while the works are in operation, or such other apparatus as will efficiently remove the lead dusts from the air of the workrooms.

(b) The employer shall provide a washroom, or rooms, which shall be separate from the workrooms, be kept clean, and be equipped with:

(1) Lavatory basins, fitted with waste pipes and two spigots conveying hot and cold water; or

(2) Basins placed in troughs fitted with waste pipes, and for each basin two spigots conveying hot and cold water; or

(3) Troughs of enamel or similar smooth impervious material, fitted with waste pipes, and for every two feet of trough length two spigots conveying hot and cold water.

Where basins are provided there shall be at least one basin for every five such employes; and where troughs are provided, at least two feet of trough length for every five such employes. The employer shall also furnish nail brushes and soap, and shall provide at least three clean towels per week for each such employe. A time allow-

ance of not less than ten minutes, at the employer's expense, shall be made to each such employe for the use of said washroom before the lunch hour and at the close of the day's work.

Sec. 8. The State Department of Labor and Industry shall enforce this act, and prosecute all violations of the same. The officers or their agents, of the said department, shall be allowed at all reasonable times to inspect any place of employment included in this act.

The employer engaged in the manufacture of white lead, red lead, litharge, sugar of lead, arsenate of lead, lead chromate, lead sulphate, lead nitrate, or fluo-silicate shall also provide at least one shower bath for every ten such employes. The baths shall be approached by wooden runways, be provided with movable wooden floor gratings, be supplied with controlled hot and cold water, and be kept clean. The employer shall furnish soap, and shall provide at least two clean bath towels per week for each such employe. An additional time allowance of not less than ten minutes, at the employer's expense, shall be made to each such employe for the use of said baths, at least twice a week, at the close of the day's work. The employer shall keep a record of each time that such baths are used by each employe, which record shall be open to inspection at all reasonable times by the State Department of Labor and Industry, and also by the State Department of Health.

(c) The employer shall provide a dressing room, or rooms which shall be separate from the workrooms, be furnished with a double sanitary locker or two single sanitary lockers for each such employe, and be kept clean.

(d) The employer shall provide an eating room or eating rooms, which shall be separate from the workrooms, be furnished with a sufficient number of tables and seats, and be kept clean. No employe shall take, or be allowed to take, any food or drink of any kind into any workroom, nor shall any employe remain, or be allowed to remain, in any workroom during the time allowed for his meals.

(f) The employer shall provide at least one pair of overalls and one pair of jumpers for each such employe, and repair or renew such clothing when necessary, and wash the same weekly.

(g) The employer shall provide, and renew when necessary, at least one reasonably effective respirator for each employe who is engaged in any work or process included in section 2.

Sec. 4. Every employe who, while engaged in any work or process included in section 2, is exposed to lead dusts, lead fumes, or lead solutions, shall—

(a) Use the washing facilities provided by the employer in accord with section 3 (b), and wash himself at least as often as a time allowance is therein granted for such use.

(b) Use the eating room provided by the employer in accord with section 3 (d), unless the employe goes off the premises for his meals.

(c) Put on, and wear at all times while engaged in such work or process, a suit of the clothing provided by the employer in accord with section 3 (f), and remove the same before leaving at the close of the day's work, and keep his street clothes and his working

clothes, when not in use, in separate lockers or separate parts of the locker provided by the employer in accord with section 3 (c).

(d) Keep clean the respirators provided by the employer in accord with section 3 (g), and use one at all times while he is engaged in any work or process included in section 2 of this act.

Sec. 5. The employer shall post in a conspicuous place in every workroom where any work or process included in section 2 is carried on, in every room where washing facilities are provided, and in every dressing room and eating room, a notice of the known dangers arising from such work or process, and simple instructions for avoiding as far as possible such dangers. The Commissioner of Labor and Industry shall prepare a notice containing the provisions of this act, and shall furnish free of cost a reasonable number of copies thereof to every employer included in section 2, and the employer shall post copies thereof in the manner hereinbefore stated. The notices required in this section shall be printed in plain type, on cardboard, and shall be in English and in such other languages as the circumstances may reasonably require. The contents of such notices shall be explained to every employe by the employer, when the said employe enters employment in such work or process; interpreters being provided by the employer when necessary to carry out the above requirements.

Sec. 6. The employer shall cause every employe who while engaged in any work or process included in section 2, is exposed to lead dusts, lead fumes, or lead solutions, to be examined at least once a month, for the purpose of ascertaining if symptoms of lead poisoning appear in any employe. The employe shall submit himself to the monthly examination, and to examination at such other times and places as he may reasonably be requested by the employer, and he shall fully and truly answer all questions bearing on lead poisoning asked him by the examining physician. The examinations shall be made by a licensed physician, designated and paid by the employer, and shall be made during the working hours, a time allowance therefor at the employer's expense being made to each employe so examined.

Sec. 7. Every physician making an examination, under section 6, and finding what he believes to be symptoms of lead poisoning, shall enter, in a book kept for that purpose in the office of the employer, a record of such examination, containing the name and address of the employe so examined, the particular work or process in which he is engaged, the date, place, and finding of such examination, and the directions given in each case by the physician. The record shall be open to inspection at all reasonable times by the State Department of Labor and Industry and by the State Department of Health.

Within forty-eight hours after such examination and finding, the examining physician shall send a report thereof, in duplicate, one copy to the State Department of Labor and Industry and one to the State Department of Health. The report shall be on, or in conformity with, blanks to be prepared and furnished by the State Department of Health, free of cost, to every employer included in sec-

tion 2, and shall state: (a) name, occupation, and address of employe; (b) name, business, and address of employer; (c) nature and probable extent of disease; and (d) such other information as may be reasonably required by the State Department of Health.

The examining physician shall, also, within the said forty-eight hours, report such examination and finding to the employer; and after five days from such report the employer shall not continue the said employe in any work or process where he will be exposed to lead dusts, lead fumes, or lead solutions, included in section 2 of this act.

Sec. 8. The State Department of Labor and Industry shall enforce this act, and prosecute all violations of the same. The officers, or their agents, of the said department, shall be allowed at all reasonable times to inspect any place of employment included in this act.

Every employer who, either personally or through any agent, violates or fails to comply with any provisions of section 1 or section 3, shall be guilty of a misdemeanor and on conviction, for the first offense, shall be sentenced to pay a fine of not less than one hundred (\$100) dollars, nor more than two hundred (\$200) dollars; and on conviction for a second offense shall be sentenced to pay a fine of not less than two hundred (\$200) dollars, nor more than five hundred (\$500) dollars; and on conviction for each subsequent offense shall be sentenced to pay a fine of not less than three hundred (\$300) dollars, nor more than one thousand (\$1,000) dollars; and in each case he shall stand committed until such fine and the costs are paid, or until he is otherwise discharged by due process of law.

Every employe who violates or fails to comply with any provision of section four shall be guilty of a misdemeanor; and on conviction, for the first offense, shall be sentenced to pay a fine of not less than ten (\$10) dollars, nor more than twenty (\$20) dollars; and on conviction for the second offense shall be sentenced to pay a fine of not less than twenty (\$20) dollars, nor more than fifty (\$50) dollars; and on conviction for each subsequent offense, not less than thirty dollars, nor more than one hundred (\$100) dollars; and in each case he shall stand committed until such fine and the costs are paid, or until he is otherwise discharged by due process of law.

Every employer who, either personally or through any agent, violates or fails to comply with any provisions of sections 5, 6 or 7 relating to him, and every employe who violates or fails to comply with the provisions of section 6 relating to him, shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of not less than ten (\$10) dollars, nor more than one hundred (\$100) dollars.

Sec. 11. The owner or person in charge of an establishment where machinery is used shall provide belt shifters or other mechanical contrivances for the purpose of throwing on or off belts or pulleys. Whenever practicable, all machinery shall be provided with loose pulleys. All vats, pans, saws, planers, cogs, gearing, belting, shafting, set screws, grindstones, emerywheels, flywheels, and machinery of every description shall be properly guarded. The floor space of no working room in any establishment shall be so crowded

with machinery as thereby to cause risk to the life or limb of an employe; nor shall there be in any establishment machinery in excess of the sustaining power of the floors and walls thereof. No person shall remove or make ineffective any safeguard around or attached to machinery, vats or pans while the same are in use, except for the purpose of immediately making repairs thereto, nad all such safeguards so removed shall be properly replaced. Exhaust fans of sufficient power, or other sufficient devices, shall be provided for the purpose of carrying off poisonous fumes and gases, and dust from emery wheels, grindstones and other machinery creating dust. If a machine or any part thereof is in a dangerous condition, or is not properly guarded, the use thereof may be prohibited by the Chief Factory Inspector or by his deputy, and a notice to that effect shall be attached theeto. Such notice shall not be removed until the machinery is made safe and the required safeguards are provided, and in the meantime such unsafe or dangerous machinery shall not be used.

Sec. 13. The owner, agent, lessee, or other person having charge or managerial control of any establishment, shall provide or cause to be provided not less than two hundred and fifty cubic feet of air-space for each and every person in every workroom in said establishment, where persons are employed, and shall provide that all workrooms, halls and stairways in said establishment be kept in a clean and saritary condition and properly lighted.

Sec. 1. Be it enacted, etc., that all persons, companies, or corporations operating any factory or workshop where emery-wheels or emery-belts of any description are used, either solid emery, leather, leather-covered, felt, canvas, linen, paper, cotton, or wheels or belts rolled or coated with emery or corundum, or cotton-wheels used as buffs, shall provide the same with blowers, or similar apparatus, which shall be placed over, beside, or under such wheels or belts, in such a manner as to protect the person or persons using the same from the particles of dust produced and caused thereby, and to carry away the dust arising from or thrown off by such wheels or belts, while in operation, directly to the outside of the building, or to some receptacle placed so as to receive and confine such dust: Provided, That grinding machines upon which water is used at the point of the grinding contact shall be exempt from the provisions of this act; and, provided, this act shall not apply to factories or workshops where men are not employed continuously at such wheels or belts more than three hours in twenty-four hours.

Sec. 2. It shall be the duty of any person, company, or corporation operating any such factory or workshop to provide or construct such appliances, apparatus, machinery, or other things necessary to carry out the purpose of this act, as set forth in the preceding section, as follows: Each and every wheel shall be fitted with a sheet of cast iron, or hood or hopper, of such form, and so applied to such wheel or wheels, that the dust or refuse therefrom will fall from such wheels, or will be thrown into such hood or hopper by centrifugal force, and be carried off by the current of air into a suction-pipe attached to same hood or hopper.

Sec. 3. This act shall become operative on the first day of January, one thousand nine hundred and fourteen.

Industrial Board.

1915.

Caution:—Employes shall not remove or make ineffective any safeguards while same are in use, except for the purpose of making repairs, and such safeguards so removed shall be replaced.

Note:—Polishing and Grinding Machines shall have all exposed collars, set screws, shafts, couplings, clutches, keys, pulleys, gears, fly wheels and belts guarded as specified in Safety Standards, Volume I, No. 1.

Eye Protection.

(x) Approved eye protection shall be provided for operators on grinding wheels if the operation involves the possibility of eye injury.

Lighting and Heating.

Sec. 9. Where natural light is insufficient properly to light the foundry, artificial light of sufficient power shall be provided, in the discretion of the Industrial Board.

Sec. 10. Interior walls of foundries shall be whitened, in the discretion of the Industrial Board.

Chip guards shall be provided on lathes and other machines for the protection of nearby persons as well as the operator, where there is an eye hazard by reason of flying chips or cuttings. Goggles will be considered adequate protection for the operator.

Eye protection in all lathe, machine and grinding work shall be carefully considered.

(e) All factories used for the manufacture of food products shall be clean, properly lighted and ventilated. The ceilings shall be of sufficient height to permit ample clearance for all work under any suspended shafting, hangers, piping, galleries, etc. Where natural light and ventilation are insufficient, provision shall be made for augmenting the same by mechanical methods. The interiors of all working rooms shall be kept a light color by paint, whitewash or other suitable method.

Removal of Smoke, Steam, Gases and Dust.

Sec. 4. Where smoke, steam, gases or dust arising from any of the operations of the foundry are dangerous to health or eyes and where a natural circulation of air does not carry off such smoke, steam, gases or dust, there shall be installed and operated hoods, ventilators, fans or other mechanical means of ventilation approved by the Industrial Board.

Sec. 5. The cleaning and chipping of castings shall be done in cleaning rooms except that where traveling cranes or where, in existing installations cars are used for conveying castings into such rooms, a separating partition shall be erected which shall not be less than twelve (12) feet in height. In existing installations, where the crane cage or crane girders will not permit the erection of a twelve-foot partition, the height of the partition may be reduced sufficiently to permit of the clearance of same. Large castings may be chipped or cleaned by hand in the molding and casting room, provided sufficient protection is furnished by the use of a curtain or screen or some

other means equally good to protect employes who are otherwise employed therein. This regulation shall not apply if mechanical contrivances are used for cleaning castings and the dust and particles arising therefrom are effectively removed at the point of origin by means of an exhaust system.

Sec. 6. Where tumbler mills are used, exhaust systems shall be installed to effectively carry off the dust arising from the cleaning of castings except where the mill is operated outside the foundry. This regulation shall not prohibit the use of a water barrel to clean castings. Sand blast operations shall be carried on in the open air or in a separate room used solely for such purpose. The milling of cupola cinders, when done inside the foundry, shall be carried on by an exhaust mill or water mill, each of a type approved by the Industrial Board.

Section 7. The floor beneath and immediately surrounding the cupola shall slope and drain away from the base of same.

Section 8. Cores shall not be blown out of castings by compressed air unless such work is done outside the foundry or in a special room or dustproof enclosure approved by the Industrial Board. Men employed in cleaning castings by compressed air or sand blast shall wear eye guards and helmets approved by the Industrial Board.

Brass Foundries:

Section 38. Brass foundries shall be provided with natural light from at least two sides or from at least one side, and skylights in roof.

Legislature,

MICHIGAN.

1914.

(331) Section 1. Every physician attending or called upon to treat a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic or mercury, or their compounds, or from anthrax, or from compressed air illness, contracted as a result of the nature of the patient's employment, shall send to the state board of health, who shall transmit to the commissioner of labor a notice stating the name, postoffice address and place of employment of the patient, the length of time of such employment, and the disease from which in the opinion of the physician, the patient is suffering.

(332) Section 2. Any physician who shall fail to make any report required by the preceding section, or who shall wilfully make any false statement in such report, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not more than fifty dollars.

(333) Section 3. It shall be the duty of the commissioner of labor and of the prosecuting attorney of the county where any one violating the provisions of this act may reside, to prosecute all violators of the provisions of this act which shall come to the knowledge of them or either of them.

Legislature,

1915.

Safeguards on Belts, Gearing and Dangerous Machinery.

Section 15. It shall be the duty of the owner of any factory, store-

house or warehouse, or his agent, superintendent or other person in charge of the same, to furnish or supply or cause to be furnished or supplied, in the discretion of the factory inspector, where machinery is in use, proper shifters or other mechanical contrivances for the purpose of throwing belts on or off pulleys. All gearing or belting shall be provided with proper safeguards, and whenever possible machinery shall be provided with loose pulleys. All vats, saws, pans, planers, cogs, set-screws, gearing and machinery of every description shall be properly guarded when deemed necessary by the factory inspector.

Section 16. Exhaust fans shall be provided for the purpose of carrying off dust from emery wheels and grindstones and dust-creating machinery, wherever deemed necessary by the factory inspector.

Foundries shall be reasonably well lighted throughout working hours, and reasonably well heated during the cold and inclement weather.

Section 27. All persons, companies or corporations operating any factory or workshop, where wheels or emery belts of any description are in general use, either leather, leather covered, felt, canvas, paper, cotton or wheels or belts rolled or coated with emery or corundum, or cotton wheels used as buffs, shall provide the same with fans or blowers or similar apparatus, which shall be placed in such a position or manner as to protect the person or persons using the same from the particles of dust produced and caused thereby, and to carry the dust arising from, or thrown off by such wheels or belts while in operation, directly to the outside of the building or to some other receptacle placed so as to receive and confine such dust: Provided, That grinding machines upon which water is used at the point of grinding contact shall be exempt from the conditions of this act: Provided further, That this act shall not apply to solid emery wheels used in saw mills or planing mills or other wood working establishments.

VERMONT.

1913.

The Legislature has appointed a factory inspector, and in Section 3 certain portions of his duties are defined as follows:

Section 3. Said inspector may enter any factory, mill, workshop, private works or state institutions which have shops or factories, when the same are open or in operation, and to examine into the methods of protection from danger to employes and the sanitary condition in and around such buildings and places, and to make a record of such inspection. A person who refuses to allow the inspector to so enter, or refuses to give the information authorized to be obtained under the provisions of this section shall be fined not more than one hundred dollars, or be imprisoned not more than ninety days, or both. If said inspector finds upon such inspection that the heating, lighting, ventilation, or sanitary arrangement of any workshop or factory is such as to be injurious to the health of the persons employed or residing therein or that the means of egress in case of fire or other disaster are not sufficient, or that the belting, shafting, gearing, elevators, drums, saws, cogs or machinery in such workshop or factory are located, or are in condition, so as to be dangerous to employes and not sufficiently

guarded, or that vats, pans or any other structures filled with molten metal or hot liquids, are not surrounded with proper safeguards for preventing accidents or injury to those employed at or near them, he shall give written notice to the owner, proprietor or agent of such workshop or factory to make, within thirty days, the alterations or additions by said inspector deemed necessary for the safety and protection of the employees; and if such alterations or additions are not made within thirty days from the date of such written notice, or within such time as said alterations or additions can be made with proper diligence upon the part of such proprietors, owners or agents, said proprietors, owners or agents so notified shall be fined not more than two hundred dollars nor less than twenty-five dollars, or be imprisoned not more than thirty days.

Use of the Common or Roller Towel Prohibited.

At a meeting of the State Board of Health held at Burlington, May 1, 1913, the following regulation was adopted and is hereby promulgated:

Whereas, it has been demonstrated that the use of the common or roller towel is dangerous to the public health and is a source of communication of infectious diseases; therefore, under the authority of the statute imposed upon the State Board of Health to promulgate rules and regulations relative to the preservation of public health in contagious diseases and prevention of the same, the use of the roller towel, or any other towel which may be used for more than one service, is hereby prohibited in any school, hotel, restaurant, boarding house, saloon, club house, public lavatory, wash room, depot or railroad car, or any other public place.

VERMONT.

1913.

The following rules and regulations have been adopted by Department of Factory Inspection and must be strictly observed.

Machinery.

Art. 1. Cog Gearings. All cog gearings should be completely cased in, casing to be so constructed that it can be easily removed when necessary to repair or oil, which can be made of wood or metal.

Art. 2. Fly Wheels. All fly wheels of engines and belt wheels should be enclosed by casing in or placing substantial railing around them, either of wood or gas pipe. The latter preferable and more substantial.

Art. 4. Belts. All belts passing through floors or vertical shafting operating through floors shall be cased in to the height of four feet.

Art. 5. All circular and band saws should be provided with a hoop guard, and the lower wheels of band saws should be entirely enclosed, when possible to do so, and employees compelled to use such guards at all times.

Art. 6. Set-Screws, Keys and Dead Ends. Protruding set-screws in collars and couplings on line and countershafting should be covered or countersunk. Set-keys in hubs or fly or other wheels should be cut off flush with the end of shaft or covered with tin casing or other material fitting closely to shaft, forming a smooth surface. To be more

explicit: Protruding set-screws in collars and couplings on line and countershafting should be covered or countersunk, and keys should not be allowed to project from end of shaft. All dead ends of shafting should have a smooth casing.

Art. 7. Shifting Belts. Loose pulleys should be used whenever possible, so as to throw a saw, jointer, shaper or other piece of machinery out of motion when not necessarily in use, and employees instructed to throw out of motion such machine when leaving same temporarily.

Shifters should be used at all times for shifting belts, and no employee should be allowed to shift a belt with his hands or stick; belts should be laced and adjusted when machinery is not in motion.

Art. 9. Gearings. All cog or bevel gearings, where exposed to outside contact, should have a removable casing, so that they will be completely covered but easily oiled.

Art. 14. Warning Notices. Notices should be posted stating that any employee removing guards, or other safety appliances from the machinery, do so at his or her own peril.

WISCONSIN.

Legislature,

1913.

Compensation for the Loss of an Eye.

In addition to the usual accident compensation, eye injuries are compensated for as follows:

The loss of an eye by enucleation, 160 weeks;

The loss of the second eye, by enucleation, 320 weeks;

Total blindness of one eye, 120 weeks;

Total blindness of the second eye, 240 weeks.

Industrial Commission Appointed by Legislature,

1915.

Order 4. Belt Shifters. All loose pulleys must be furnished with a permanent belt shifter, so located as to be within easy reach of the operator. The belt-shifter must be so constructed as to make it impossible for the belt to creep from the loose pulley back on the tight pulley. All belt shifters must be equipped with a lock or some other efficient device which will prevent the shifter from being accidentally shifted.

Order 8. Emery Wheels, Hoods and Guards. Emery wheels used for grinding purposes must be equipped with a hood connected with an exhaust fan or water system. A guard must be provided, as a part of the hood construction or in addition to the hood, which shall be strong enough to withstand the shock of a bursting wheel. This guard must be adjusted close to the wheel and extend over the top of the wheel to a point 30 degrees beyond a vertical line drawn through the center of the wheel. The exhaust or water system is not required on emery wheels which are in general use by all employees in common, to touch up tools or castings, or emery wheels used for sharpening saws.

Order 28. Drop Hammers, Flying Scales. When drop hammers which throw off sparks and scales are located near a passageway

where persons pass along to the rear of the machine, a shield must be provided to stop the sparks and scales.

Order 46. *Eye Protection.* Where men are doing work whereby any substance is thrown off which may injure the eyes, suitable goggles or spectacles or other efficient guard must be provided by the employer.

Note. The compensation law provides for a penalty of 15 per cent where injury results from the employe's willful failure to use safety devices provided by the employer or to obey any reasonable rule adopted by the employer for the safety of the employes.

Where properly fitted goggles are furnished by the employer and where the employe refuses to use the goggles and is injured, the employe will be penalized 15 per cent in awarding compensation. By the term "properly fitted" is meant goggles which fit comfortably over the nose and around the eye and the lenses are properly spaced for the eyes.

Order 54. *Vats and Tanks Guarded.* All vats and tanks which contain hot liquids, acids or other injurious chemicals; or vats and tanks which are of sufficient depth to be dangerous, and where such vats and tanks are exposed to contact, must be guarded.

Order 2009. *Sandblast Operators, Protection.* The employer must furnish the employes who are working in sand blast rooms with a suitable covering for the face, which will protect the eyes, nose and mouth; such protector should be worn by the employe when working in the sand blast room.

Order 2014. *Foundries, Foregshops and Roundhouses, Ventilation.* All foundries, forge shops, roundhouses and other places of employment in which smoke, gas, dust or vapors are present in sufficient quantities to obstruct the vision, or to be irritating, obnoxious or injurious to the health, must be equipped with a system of ventilation which will eliminate such smoke, gas, dust or vapors insofar as the conditions of the industry will permit. Such system of ventilation must change the air in the room not less than twice each hour, and must supply the room with an additional amount of air to make up for the loss of oxygen which is consumed by the fires. Each person in the room must be supplied with not less than 1800 cubic feet of fresh air each hour.

Note. The above standard of ventilation for foundries and forge shops can be secured with proper window space on the sides, sufficient height of roof, and with adequate lantern provisions in the roof.

Order 2012. *Vats and Tanks Which Emit Fumes.* All vats and tanks containing liquids which emit fumes, or vapors of ammonia, arseniuretted hydrogen, carbon dioxide, carbon monoxide, carbon tetrachloride, chlorine, gases from pickling vats, lead and mercury, phosgene, sulphur dioxide, hydrochloric acid, nitric acid, sulphuric acid, prussic acid, or other fumes or vapors which are irritating, obnoxious or injurious to the health, must be equipped with a ventilating system which will remove as much of the fumes or vapors as the character of the work will permit.

Shop Lighting.

Order 2100. *Natural Light Required.* Each place of employment

hereafter constructed must be supplied with adequate natural light during the working daylight hours.

Order 2101. *Artificial Light Required.* Each place of employment at present constructed and which is not so equipped as to furnish adequate natural light during the working daylight hours, must be supplied with artificial light as specified in Orders 2102 to 2105, inclusive.

Order 2102. *Artificial Light Where No Gas or Smoke.* Each place of employment in which hand or machine operations are performed must be supplied during the working hours, when daylight is not available, with artificial light equivalent in amount, for each four square feet of floor space, to not less than the light produced by a one-candle power lamp hung 10 feet from the floor.

Order 2103. *Artificial Light Where Gas and Smoke.* In foundries, forge shops and other industries where there is smoke and gas which obstruct the light, sufficient artificial light must be supplied to overcome the obstruction and to furnish the standard amount of light on the floor specified in Order 2102.

Note. It has been found from experience in foundries and forge shops, that the proper amount of light is secured when the standard of light specified in Order 2102 is increased 100 per cent.

Order 2104. *Warehouses and Storage Places.* Each place of employment in which hand or machine operations are not performed, such as warehouses, vat rooms and storage places, must be supplied during the working hours, when daylight is not available, with artificial light equivalent in amount for each eight square feet of floor space, to not less than the light produced by a one-candle power lamp hung ten feet from the floor.

Order 2105. *Light for Fine Work.* In each place of employment where fine or close work is being done, such as fine lathe work, engraving, typesetting and drafting, and where the standard of light specified in Orders 2102 and 2103 are not sufficient to prevent injurious eye strain, sufficient light must be provided in every case to avoid unnecessary eye strain.

Note. In many cases it is advisable to provide individual lights for each machine, bench or table. It is exceedingly important that these lights be equipped with proper reflectors which can be kept clean, and which so reflect the light that the eyes are not subjected to the glare of the light, and eye strain is avoided.

Order 2106. *Yards, Roadways, etc.* All yards, roadways, stairways, tramways, and other places outside of buildings which are frequented by employes in the course of their employment, must be supplied with natural or artificial light during the working hours so that every part of such place is easily discernible.

Note. (a) *Standards Based on Experience.* The standards for artificial lighting specified in Orders 2100 to 2106, inclusive, are based on the experience of a large number of reputable manufacturing concerns which have worked out the problems of shop lighting, both from the standpoint of efficiency as well as safety. These standards are as low as can be safely adopted to secure results. Many concerns have adopted standards considerably higher than these. The standards of light for departments in which hand or machine operations are per-

formed, as specified in Orders 2102 and 2103, have been found to be adequate for a large per cent of the factories in which woodworking machinery is operated, and in factories in which course work is being done on benches, forges or on metal working machines. In such factories where the proper standard of general illumination has been installed, it has been found unnecessary to use individual lights.

Note. (b) Reflectors for Lamps. Each lamp used for either general illumination or individual lighting should be equipped with a reflector made of white enameled steel, porcelain, glass or similar material which will not be tarnished by the gas and smoke, and which can be kept clean. The reflectors used for general illumination should be so shaped as to concentrate and distribute the light on the working plane which is usually within seven feet of the floor. It has been found that a properly designed reflector will add about 35 per cent to the efficiency of the lamp. These reflectors should be kept clean. It has been demonstrated that it adds from 25 per cent to 50 per cent to the efficiency of a reflector to keep it clean.

Note. (c) Walls Whitened, Windows Clean. In all places of employment where there is not excessive smoke and gas, the walls and ceilings should be kept properly whitened with paint or whitewash. It has been demonstrated that in departments where the walls are whitened the natural and artificial light is increased about 20 per cent. It also adds materially to the natural light to keep the windows clean.

Order 2217. In all places of employment the use of towels in common is prohibited.

TENNESSEE.

Legislature,

Publication of 1913.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That every building, room, basement or cellar occupied or used as a bakery, confectionery, packing house, slaughter house, dairy, creamery, cheese factory, restaurant, hotel, grocery, meat market, or other place or apartment used for the sale, manufacture, packing, storage, sale or distribution or any food shall be properly lighted, drained, plumbed and ventilated.

Section 5. Be it further enacted, That each deputy inspector of workshops and factories assigned to a district for the inspection of workshops and factories therein shall carefully inspect the sanitary conditions, system of sewerage, situation and condition of water closets, system of heating, lighting and ventilating rooms where persons are employed at labor, and the means of exit in case of fire or other disasters, within or connected with such workshops and factories. They shall examine the belting, shafting, gearing, elevators, drums and machinery in and about such workshops and factories, and see that they are not so located as to be dangerous to employes when engaged in their ordinary duties, and so far as practicable securely guarded; they shall see that each vat, pan or structure filled with molten lead or hot liquid is surrounded by proper safeguard for preventing accident or injury to persons employed at or near them.

Legislature,
1915.

Section 6. Be it further enacted, That every factory, workshop, association or other establishment where work or process is carried on by which dust, filaments or injurious gases are produced or generated, that are liable to be inhaled by persons employed therein, the person, firm or corporation by whose authority the said work or process is carried on shall cause to be provided and used in said workshop, factory, association or other establishment, exhaust fans, conveyors, receptacles, or blowers with pipes and hoods extending therefrom to each machine, contrivance or apparatus by which dust, filaments or injurious gases are produced or generated; or provide other mechanical means to be maintained for the purpose of carrying off or receiving such dust, filaments, devitalized air, or other impurities as may be detrimental to the health of those in, about, or in connection with such place as herein mentioned. Provided, that if natural ventilation sufficient to exclude the harmful element above enumerated be provided, the requirement of this section shall have been complied with by such firm, corporation, association or other establishment as herein mentioned. Said fans, blowers, pipes and hoods shall be properly fitted and adjusted and of power and dimensions sufficient to effectually prevent the dust, filaments or injurious gases produced or generated by said machines, contrivances or apparatus from escaping into the atmosphere of the room or rooms of said factory, workshop or other establishment where persons are employed.

Section 12. Be it further enacted, That no person shall remove or make ineffective any safeguard around or attached to any machinery, vats, pans or apparatus, except for the purpose of making repairs thereon, and all safeguards so removed shall be replaced promptly. Provided, that when the machine, or any part thereof, is found to be in a dangerous condition, notice shall be attached thereto, and such notice shall not be removed until the machinery is made safe and the required safeguards are provided, and in the meantime such unguarded or dangerous machinery shall not be in use.

MINNESOTA.

1913.

Section 1. Every physician attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorous, arsenic or mercury or their compounds or from anthrax, or from compressed air illness, contracted as a result of the nature of the patient's employment, shall send to the commissioner of labor a notice stating the name and full postal address and place of employment of the patient and the disease from which, in the opinion of the physician, the patient is suffering, with such other specific information as may be required by the commissioner of labor and which may be ascertained by the physician in the course of his duties.

MINNESOTA.

Legislature,
1915.

Section 2. Every owner of a factory, mill or work shop where

machinery is in use shall furnish or cause to be furnished, whenever practicable, belt shifters or other safe mechanical contrivance for the purpose of throwing belts on or off pulleys; and whenever practicable, machinery shall be provided with loose pulleys. Whenever in the opinion of the labor commissioner it becomes necessary, exhaust fans of sufficient power or other devices shall be provided for carrying off dust from emery wheels, grind stones and other dust creating machinery.

Section 6. All vats, pans or other receptacles containing molten metal or hot or corrosive liquids, or otherwise dangerous liquids, shall be below the floor level.

Section 8. No employes in any factory, mill, work shop, or upon any engineering work, nor any other person, by permission or otherwise, shall remove, displace or destroy any guard for dangerous machinery, or other safety device, which the employer shall have provided under the requirements of this chapter, or any other law, save under rules established by the employer therefor. Safety appliances removed for the purpose of making repairs, adjustments, or for other purposes permitted or required by the employer shall be immediately replaced when such purpose is accomplished.

NEW JERSEY.

State Board of Health,

1913.

Approved April 1, 1912.

1. Every physician attending upon or called in to visit a person whom he believes to be suffering from poisoning from lead, phosphorus, arsenic or mercury, or their compounds, or from anthrax, or from compressed air illness, contracted as a result of such person's occupation or employment, shall within thirty days after his first professional attendance upon such person, send to the State Board of Health a written notice, stating the name and full postoffice address, and place of employment of such person, and the nature of the occupation, and the disease or ailment from which, in the opinion of such physician, the person is suffering, with such other specific information as may be required by the State Board of Health.

2. Any physician who shall fail to perform the duty imposed by section one of this act, within the time therein limited, shall be liable to a penalty of twenty-five dollars for each offense. Any penalty incurred under the provisions of this act shall be sued for and recovered in an action of debt by and in the name of the Board of Health of the State of New Jersey. All penalties collected under this act shall be paid by said board into the treasury of the State of New Jersey.

3. It shall be the duty of the Board of Health of this State to enforce the provisions of this act, and it may call upon the local boards of health and health officers of such local boards of health for assistance. It shall be the duty of all local boards of health and all health officers, when so called upon for such assistance, to render the same. It shall be the duty of the said Board of Health of this State to transmit any data received under the provisions of section one of this act to the Commissioner of Labor of this State.

IOWA.

1913.

Section 4999—a2. Duties of Parties in Charge. It shall be the duty of the owner, agent, superintendent or other person having charge of any manufacturing or other establishment where machinery is used, to furnish and supply or cause to be furnished and supplied therein, belt shifters or other safe mechanical contrivances for the purpose of throwing belts on and off pulleys, and, wherever possible, machinery therein shall be provided with loose pulleys; all saws, planers, cogs, gearing, belting, shafting, set-screws and machinery of every description therein shall be properly guarded. No person under sixteen years of age, and no female under eighteen years of age shall be permitted or directed to clean machinery while in motion.

Children under sixteen years of age shall not be permitted to operate or assist in operating dangerous machinery of any kind. (Twenty-ninth G. A., Ch. 149, Sec. 2.)

Section 4999—a4. Blowers and Pipes. All persons, companies or corporations operating any factory or workshop where emery wheels or emery belts of any description, or tumbling barrels used for rumbling or polishing castings, are used, shall provide the same with blowers and pipes of sufficient capacity, placed in such a manner as to protect the person or persons using same from the particles of dust produced or caused thereby, and to carry away said particles of dust arising from or thrown off such wheels, belts or tumbling barrels while in operation, directly to the outside of the building, or to some receptacle placed so as to receive or confine such particles or dust; provided, however, that grinding machines upon which water is used at the point of grinding contact, and small emery wheels which are used temporarily for tool grinding, are not included within the provisions of this section, and the shops employing not more than one man at such work may, in the discretion of the commissioner of the bureau of labor of the state, be exempt from the provisions hereof. Any factory, workshop, print shop or other place where molten metal or other material which gives off deleterious gases or fumes is kept or used shall be equipped with pipes or flues so arranged as to give easy escape to such gases or fumes into the open air, or provided with other adequate ventilators.

OHIO.

Legislature,

1913.

Section 989. Inspection of Work Shops and Factories. Each district inspector of workshops and factories assigned to a district for the inspection of shops and factories therein, shall carefully inspect the sanitary conditions, system of sewerage, situation and condition of water-closets, system of heating, lighting and ventilating rooms where persons are employed at labor, and the means of exit in case of fire or other disaster, within or connected with such shops and factories. He shall examine the belting, shafting, gearing, elevators, drums and machinery in and about such shops and factories, and see that they are not so located as to be dangerous to employes when engaged in their ordinary duties, and, so far as practicable, securely guarded. He

shall see that each vat, pan or structure filled with molten metal or hot liquid is surrounded by proper safeguards for preventing accident or injury to persons employed at or near them. (95 v. 338 §3.)

Section 1027. Safeguarding Machinery. The owners and operators of shops and factories shall make suitable provisions to prevent injury to persons who use or come in contact with machinery therein or any part thereof as follows:

6. They shall light the hallways, rooms, approaches to rooms, basements and other places wherein sufficient daylight is not obtainable.

7. They shall guard all saws, wood-cutting, wood-shaping and all other dangerous machinery.

8. They shall provide shifters for shifting belts, and poles and other appliances for removing, replacing and repairing belts or single pulleys.

11. They shall provide emery wheels or belts of solid emery, leather covered, felt, canvas, linen, paper, cotton or wheels or belts, rolled or coated with emery or corundum, or cotton wheels used as buffs, with blowers or similar apparatus placed over, beside or under such wheels or belts in such a manner as to protect the person or persons using them from particles or dust produced and caused thereby.

12. They shall provide each emery wheel with a sheet or cast-iron hood or hopper of such form and so applied to it that the dust or refuse therefrom will fall from such wheels or will be thrown into such hood or hopper by centrifugal force and be carried off by the current of air into a suction pipe attached to such hood or hopper.

13. They shall provide an emery wheel six inches or less in diameter with a three-inch suction pipe, an emery wheel six inches to twenty-four inches in diameter with a four-inch suction pipe; an emery wheel twenty-four inches to thirty-six inches in diameter with a five-inch suction pipe and every emery wheel larger than those provided for with a suction pipe not less than six inches in diameter. Such suction pipe shall be full sized to the main trunk suction pipe, and the main suction pipe to which smaller pipes are attached shall be equal in its diameter and capacity to the combined area of the smaller pipes attached to it. The discharge pipe from the exhaust fan connected with pipe or pipes shall be as large or larger than the suction pipe.

Section 1028. Penalty. Whoever, being a person, firm or corporation, fails to comply with any provision of the preceding section, or fails to comply with such orders for changes as are issued by the chief inspector, within thirty days thereafter shall be fined not less than one hundred dollars nor more than three hundred dollars for each offense. All fines collected under this section shall inure to the benefit of the county hospital for tuberculosis. In prosecution for violations of this section by or under the direction of the chief inspector, such inspector shall not be required to give security for costs or adjudged to pay any costs. In case where the accused is acquitted, the costs shall be paid from the treasury of the county in which such proceedings were brought.

Section 6330-2. Especially Dangerous Works or Processes. Every work or process in the manufacture of white lead, red lead, litharge, sugar of lead, arsenate of lead, lead chromate, lead sulphate, lead nitrate or fluo-silicate, is hereby declared to be especially dangerous to the health of the employes, who, while engaged in such work or process, are exposed to lead dusts, lead fumes or lead solutions.

Section 6330-3. Duties of Employers to Provide Safety Appliances for the Protection of Employes in Especially Dangerous Works or Processes. Every employer shall, without cost to the employes, provide the following devices, means and methods for the protection of his employes who while engaged in any work or process included in section 2, are exposed to lead dusts, lead fumes or lead solutions:

(a) Working rooms, hoods and air exhausts for the protection of employes engaged in any work or process which produces lead dusts or lead fumes. The employer shall provide and maintain workrooms adequately lighted and ventilated, and so arranged that there is a continuous and sufficient change of air, and all such rooms shall be fully ventilated and separated by partition walls from all departments in which the work or process is of a non-dusty character; and all such rooms shall be provided with floor permitting an easy removal of dust by wet methods or vacuum cleaning, and all such floors shall be so cleaned daily.

Every work or process referred to in section 2, including the corroding or oxidizing of lead, and the crushing, mixing, sifting, grinding and packing of all lead salts or other compounds referred to in section 2, shall be so conducted and such adequate devices provided and maintained by the employer as to protect the employe, as far as possible, from contact with lead dust or lead fumes. Every kettle, vessel, receptacle or furnace in which lead in any form referred to in section 2 is being melted or treated, and any place where the contents of such kettles, receptacles or furnaces are discharged, shall be provided with a hood connected with an efficient air exhaust; all vessels or containers in which dry lead in any chemical form or combination referred to in section 2, is being conveyed from one place to another within the factory shall be equipped, at the places where the same are filled or discharged, with hoods having connection with an efficient air-exhaust; and all hoppers, chutes, conveyors, elevators, separators, vents from separators, dumps, pulverizers, chasers, dry-pans or other apparatus for drying pulp lead, dry-pans dump, and all barrel packers and cars to other receptacles into which corrosions are at the time being emptied shall be connected with an efficient dust-collecting system; such system to be regulated by the discharge of air from a fan, pump or other apparatus, either through a cloth dust-collector having an area of not less than one-half square foot of cloth to every cubic foot of air passing through it per minute, the dust-collector to be placed in a separate room which no employe shall be required or allowed to enter, except for essential repairs, while the works are in operation; or such other apparatus as will efficiently remove the lead dusts from the air before it is discharged into the outer air.

(b) Washing Facilities. The employer shall provide a wash room or rooms which shall be separate from the work rooms, be kept clean, and be equipped with: (1) lavatory basins fitted with waste pipes and two spigots conveying hot and cold water, or

(2) Basins placed in troughs fitted with waste pipes and for each basin two spigots conveying hot and cold water, or

(3) Troughs of enamel or similar smooth impervious material fitted with waste pipes, and for every two feet of trough length two spigots conveying hot and cold water.

Where basins are provided there shall be at least one basin for every five employes, and where troughs are provided, at least two feet for every five such employes. The employer shall also furnish nail brushes and soap, and shall provide at least three clean towels per week for each such employe. A time allowed of not less than ten minutes, at the employer's expense, shall be made to each such employe for the use of said wash room before the lunch hour and at the close of the day's work.

The employer shall also provide at least one shower bath for every five such employes. The baths shall be approached by wooden runways, be provided with movable wooden gratings, be supplied with controlled hot and cold water, and be kept clean. The employer shall furnish soap, and shall provide at least two clean bath towels per week for each such employe. An additional time allowance of not less than ten minutes, at the employer's expense, shall be made to each such employe for the use of said baths at least twice a week at the close of the day's work. The employer shall keep a record of each time that such baths are used by such employe, which record shall be open to inspection at all reasonable times by the (state department of factory inspection) and also by the (state board of health).

(c) Dressing Rooms. The employer shall provide a dressing room or rooms which shall be separate from the work room, be furnished with a double locker or two single sanitary lockers for each such employe and be kept clean.

(d) Eating Rooms. The employer shall provide an eating room or eating rooms which shall be separate from the work rooms, be furnished with a sufficient number of tables and seats, and be kept clean. No employe shall take or be allowed to take any food or drink of any kind into any work room, nor shall any employe remain or be allowed to remain in any work room during the time allowed for his meals.

(f) Clothing. The employer shall provide at least two pairs of overalls and two jumpers for each employe, and repair or renew such clothing when necessary, and wash the same weekly. Such clothing shall be kept exclusively for the use of that employe.

(g) Respirators. The employer shall provide, and renew when necessary, at least two reasonably effective respirators for each employe who is engaged in any work or process which produces lead dusts.

Section 6330-4. Duties of Employes in Especially Dangerous Works or Processes to Use the Safety Appliances Provided by the Em-

ployers. Every employe who, while engaged in any work or process included in section 2, is exposed to lead dusts, lead fumes or lead solution, shall:

(a) Use the washing facilities provided by the employer in accord with section 3 (b) and wash himself at least as often as a time allowance is therein granted for such use.

(b) Use the eating room provided by the employer in accord with section 3 (d), unless the employe goes off the premises for his meals.

(c) Put on, and wear at all times while engaged in accord with section 3 (f) and remove the same before leaving at the close of the day's work; and keep his street clothes and his working clothes, when not in use, in separate lockers or separate parts of the locker provided by the employer in accord with section 3 (c).

(d) Keep clean the respirators provided by the employer in accord with section 3 (g), and use one at all times while he is engaged in any work or process which produces lead dusts.

Section 6330-5. Notices. The employer shall post in a conspicuous place in every work room where any work or process included in section 2 is carried on, room where washing facilities are provided, dressing rooms and eating room. A notice of the known dangers arising from such work or process, and simple instructions for avoiding, as far as possible, such dangers. The (chief state factory inspector) shall prepare a notice containing the provision of this act, and shall furnish, free of cost, a reasonable number of copies thereof to every employer included in section 2, and the employer shall post copies thereof in the manner hereinabove stated. The notices required in this section shall be printed in plain type on cardboard, and shall be in English and in such other languages as the circumstances may reasonably require. The contents of such notices shall be explained to every employe by the employer when the said employe enters employment in such work or process, and in addition shall be read to all employes at least once a month, interpreters being provided by the employer when necessary to carry out the above requirements.

Section 6330-6. Medical Examination. The employer shall cause every employe who, while engaged in any work or process included in section 2, is exposed to lead dusts, lead fumes or lead solutions, to be examined at least once a month for the purpose of ascertaining if symptoms of lead poisoning appear in any employe. The employe shall submit himself to the monthly examination and to examination at such other times and places as he may reasonably be requested by the employer, and he shall fully and truly answer all questions bearing on lead poisoning asked him by the examining physician. The examinations shall be made by a licensed physician, designated and paid by the employer, and shall be made during the working hours, a time allowance therefor, at the employer's expense, being made to each employe so examined.

Section 6330-7. Record and Reports of Medical Examination. Every physician making any examination under section 6 and finding what he believes to be symptoms of lead poisoning shall enter,

in a book to be kept for that purpose in the office of the employer, a record of such examination containing the names and addresses of the employe so examined, and particular work or process in which he is engaged, the date, place and finding of such examination, and the directions given in each case by the physician. The record shall be open to inspection at all reasonable times by the (state department of factory inspection) and by the (state board of health).

Within forty-eight hours after such examination and finding, the examining physician shall send a report thereof in duplicate, one copy to the (state department of factory inspection) and one to the (state board of health). The report shall be open or in conformity with blanks, to be prepared and furnished by the (state board of health), free of cost, to every employer included in section 2, and shall state:

(a) Name, occupation and address of employe.

(b) Name, business and address of employer.

(c) Nature and probable extent disease.

(d) Such other information as may be reasonably required by the (state board of health).

The examining physician shall also, within the said forty-eight hours, report such examination and finding to the employer, and after five days from such report the employer shall not continue the said employe in any work or process where he will be exposed to lead dusts, lead fumes or lead solutions, nor return the said employe to such work or process without a written permit from a licensed physician.

Section 6330-8. Enforcement. The (state department of factory inspection) shall enforce this act and prosecute all violations of the same. The officers, or their agents, of the said (department) shall be allowed at all reasonable times to inspect any place of employment included in this act.

Section 6330-9. Penalties. Every employer, who either personally or through any agent violates or fails to comply with any provision of section 1 or section 3 shall be guilty of a misdemeanor, and on conviction for the first offense shall be fined not less than one hundred dollars nor more than two hundred dollars, and on conviction for the second offense, not less than two hundred dollars nor more than five hundred dollars, and on conviction for each subsequent offense, not less than three hundred dollars nor more than one thousand dollars, and in each case he shall stand committed until such fine and the costs are paid, or until he is otherwise discharged by due process of law.

Every employe who violates or fails to comply with any provision of section 4, shall be guilty of a misdemeanor, and on conviction for the first offense shall be fined not less than ten dollars nor more than twenty-five dollars, and on conviction for the second offense, not less than twenty dollars nor more than fifty dollars, and on conviction for each subsequent offense not less than thirty dollars nor more than one hundred dollars, and in each case he shall stand committed until such fine and the costs are paid, or until he is otherwise discharged by due process of law.

Every employer who, either personally or through any agent, violates or fails to comply with any provision of sections 5, 6 or 7, relating to him, and every employe who violates or fails to comply with the provision of section 6 relating to him shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars.

Section 6330-10. Definition. In this act, unless the context otherwise requires, "employer" includes persons, partnerships and corporations.

I. Special Powers of the State Board of Health to Make a Survey of Occupational Diseases and Industrial Hygiene.

House Joint Resolution No. 12, adopted by the General Assembly of the State of Ohio, February 13th, 1913, empowers the State Board of Health as follows: "The State Board of Health is hereby authorized and directed to make a thorough investigation of the effect of occupations upon the health of those engaged therein, with special reference to dust, dangerous chemicals and gases, to insufficient ventilation and lighting, and to such conditions as in the opinion of said Board may be specially injurious to health, and to report to the next General Assembly the results of such investigation, with such recommendations for legislation or other remedial measures as it may deem proper and advisable."

II. Physicians to Report Occupational Diseases to the State Board of Health.

House Bill No. 187, passed March 25th, 1913, provides that every physician attending on, or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood alcohol, mercury, or their compounds, or from anthrax, or from compressed air illness, or any other ailment or disease, contracted as a result of the nature of the person's employment, shall report the same to the State Board of Health within forty-eight hours, by mail, upon the standard schedule blanks provided by the State Board of Health. Such reports cannot be used for evidence in any legal action. (Blanks for reporting such cases can be obtained by addressing the Secretary of the State Board of Health, Hartman Building, Columbus, Ohio.)

III. The Prevention of Occupational Diseases With Special Reference to the Manufacture of Certain Lead Compounds.

House Bill No. 483, passed April 18th, 1913, provides as follows:

- (1) Employers are to provide reasonably effective devices, means and methods to prevent occupational diseases.
- (2) Especially dangerous works or processes are named which are concerned with the manufacture of certain lead compounds.
- (3) The duties of employers as regards devices and means for prevention of occupational diseases are given in reference to:

Working rooms.

Washing facilities.

Shower baths.

Basins.

Eating rooms.

Drinking fountains.

Clothing.

Dressing rooms.

Respirators.

(4) Employees are obliged to use the appliance provided.

(5) Notices in various languages concerning the dangers arising in various processes and simple instructions to employes for avoiding them, are furnished by the Chief Inspector of workshops and factories and public buildings to every employer, and the employer is to post such notices in every room where such dangerous processes are engaged in, and also to explain to new employes the contents of these notices, and shall have them read at least once a month, interpreters to be provided when necessary.

(6) The employer must have every employe who is engaged in the dangerous processes specified examined at least once a month by a licensed physician, designated and paid by the employer, the examination to be made during working hours and at the employer's expense.

(7) The examining physician must make a record of the symptoms, and certain other specified data, in a book to be provided for that purpose, and kept in the office of the employer. This record is to be open to inspection at all reasonable times by the State Department of Factory Inspection and by the State Board of Health.

In addition, the examining physician is to send a report thereof to the State Department of Factory Inspection, and to the State Board of Health, upon the blanks especially prepared for this purpose by the State Board of Health.

The examining physician must also report the case to the employer, who, within five days, shall remove the employe from any work in which he might be exposed to lead poisoning. Such employe can not return to lead exposed processes without a written permit from a licensed physician.

(8) The enforcement of this act is left to the State Department of Factory Inspection.

(9) Penalties are provided for violations of this act by either employer or employe.

(House Joint Resolution No. 12.)
Laws of Ohio, 1913, Vol. 103, p. 975.

JOINT RESOLUTION

Authorizing and directing the state board of health to make an investigation of occupational diseases.

Whereas, The employment of men and women in certain occupations is known to be attended with more than ordinary danger to health, giving rise to what is known as "occupational diseases," and

Whereas, Unnecessary sickness and shortening of life, from whatever cause, is a serious loss and of grave concern to the state and to all the people, and

Whereas, It is believed to be possible, by public education and by the enforcement of proper measures, to largely prevent unnecessary sickness and premature death among employes in various trades and occupations, therefore,

Be it resolved by the General Assembly of the State of Ohio, That the state board of health is hereby authorized and directed to make a thorough investigation of the effect of occupations upon the health

of those engaged therein with special reference to dust and dangerous chemicals and gases, to insufficient ventilation and lighting, and to such other unhygienic conditions as in the opinion of said board may be specially injurious to health, and to report to the next general assembly the results of such investigation, with such recommendations for legislative or other remedial measures as it may deem proper and advisable.

Be it further resolved, That the finance committee of the House and the Senate be requested to place in the general appropriation bill an appropriation of \$7,000 for the year 1913 and \$7,000 for the year 1914 for carrying on the above work by the state board of health.

(Signed) C. L. SWAIN,
Speaker of the House of Representatives.

(Signed) HUGH L. NICHOLS,
President of the Senate.

Adopted February 13th, 1913.

Laws of Ohio, 1913, Vol. 103, p. 184.

AN ACT

To require the reporting of certain occupational diseases.

Be it enacted by the General Assembly of the State of Ohio:

Section 1. Every physician in this state attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood alcohol, mercury or their compounds, or from anthrax, or from compressed air illness, or any other ailment or disease, contracted as a result of the nature of the patient's employment, shall within forty-eight hours from the time of first attending such patient send to the state board of health a report stating:

- (a) Name, address and occupation of patient.
- (b) Name, address and business of employer.
- (c) Nature of disease.
- (d) Such other information as may be reasonably required by the state board of health.

The reports herein required shall be made on, or in conformity with, the standard schedule blanks hereinafter provided for. The mailing of the report, within the time required, in a stamped envelope addressed to the office of the state board of health, shall be a compliance with this section.

Section 2. The state board of health shall prepare and furnish, free of cost, to the physicians included in the preceding section, standard schedule blanks for the reports required under this act. The form and contents of such blanks shall be determined by the state board of health.

Section 3. Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported.

Section 4. It shall furthermore be the duty of the state board

of health to transmit a copy of all such reports of occupational diseases to the proper official having charge of factory inspection.

C. L. SWAIN,

Speaker of the House of Representatives.

HUGH L. NICHOLS,

President of the Senate.

Passed March 25, 1913.

Approved April 23, 1913.

JAMES M. COX, Governor.

Filed in office of the Secretary of State April 24, 1913.

KENTUCKY.

1914.

Child Labor Law.

Sec. 10. It shall be the duty of the owner of any manufacturing establishment where any person under twenty-one years of age is employed, his agents, superintendents or other persons in charge of same, to furnish and supply, when practicable or cause to be furnished and supplied to him, belt shifters, or other safe mechanical contrivance for the purpose of throwing belts on or off pulleys; and, whenever practicable, machinery therein shall be provided with loose belts. All vats, pans, saws, planes, cogs, gearings, beltings, set screws and machinery of every description which is palpably dangerous, shall be properly guarded, and no person shall remove or make ineffective any safeguard around or attached to any such appliances or machinery, while the same is in use, unless for the purpose of immediately making repairs thereto, and all such safeguards shall be promptly replaced. No person under eighteen years of age shall be allowed to clean machinery while it is in motion.

VIRGINIA.

Legislature,

1914.

2. The owner or person in charge of a factory, shop, or manufacturing establishment where machinery is used shall provide, in the discretion of the commissioner of labor, belt shifters or other mechanical contrivances for the purpose of throwing on or off belts on pulleys. Whenever practicable, all machinery shall be provided with loose pulleys. All vats, elevators, saws, planers, cogs, gearing, belting, shafting, set screws, shapers and corner machines shall be properly guarded. No person shall remove or make ineffective any safeguard around or attached to machinery, vats or elevators while the same are in use, unless for the purpose of immediately making repairs thereto, and all such safeguards so removed shall be promptly replaced. If a machine or any part thereof is in a dangerous condition, or is not properly guarded, notice thereof shall be given to the owner or manager in charge of such operation, and unless such machinery is repaired or made safe within ten days after such notice the use thereof may be prohibited by the commissioner of labor, and a notice to that effect shall be attached thereto. Such notice shall not be removed until the machine is made safe and the required safe-

guards are provided, and in the meantime such unsafe or dangerous machinery shall not be used.

SOUTH CAROLINA.
State Board of Health,
1914.

The Common Roller towel shall be abolished on all Common Carriers and in waiting rooms.

Barber Shops.

A separate clean towel shall be used for each person.

MAINE.
State Board of Health,
1914.

Section 1. The use of a common drinking cup or a common towel on any railroad train or other common carrier or in the stations, waiting rooms or lavatories connected therewith, or belonging thereto, or in any public, parochial, or private school, or in any state educational institution, or in any hotel or restaurant, or in any theatre or other public place of amusement, is prohibited.

Section 2. No person, firm, corporation, board, or trustee in control of or in charge of any common carrier or building, room, institution, or place mentioned in section 1, shall place, furnish, or keep in place, any drinking cup or towel for public or common use, and no such person, firm, corporation, board, or trustee, shall permit the use of a common drinking cup or a common towel on or in any common carrier, or building, room, institution, or place mentioned in section 1.

Section 3. The term common drinking cup as used herein is defined to be any vessel or utensil used for conveying water to the mouth, and available for common use by the public or the passengers, or guests, or inmates of the places mentioned in section 1. The term common towel as used herein shall be construed to mean roller towel or a towel intended or available for common use by more than one person without being laundered after such use.

Made by the State Board of Health, February 26, 1914. Approved by the Governor and Council, March 25, 1914.

Occupational Diseases.

An act requiring the report to the State Board of Health of certain occupational diseases due to poisoning or other causes.

Section 1. Every physician attending upon or called in to visit a person whom he believes to be suffering from poisoning from lead, phosphorus, arsenic or mercury, or their compounds, or from anthrax, or from compressed air illness, or any other ailment or disease contracted as a result of such person's occupation or employment, shall, within ten days after his first attendance upon such person, send to the State Board of Health a written notice stating the name and full post office address and place of employment of such person, and the nature of the occupation and the disease or ailment from which, in the opinion of the physician, the person is suffering, with such other specific information as may be required by the State Board of Health.

Section 2. In like manner, as is provided in section 1, shall every case of lead poisoning and of suspected lead poisoning, which has resulted from the use of water, which contains lead or is suspected of containing lead, be reported to the State Board of Health and when such reports are received the said board shall do what it can by laboratory work and otherwise to enable the attending physician to determine whether the case is one of lead poisoning, and if so, the source of the poison.

Sec. 3. Any physician who shall fail to perform the duty imposed by section 1 of this act within the time therein limited shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than five nor more than ten dollars.

Sec. 4. It shall be the duty of the State Board of Health and of the county attorney of the county wherein any person violating the provisions of this act may reside to prosecute all violations of the provisions of this act which shall come to the knowledge of them or either of them.

—Laws of 1913.

MASSACHUSETTS.

1914.

"Under authority of section 6 of chapter 813 of the Acts of 1913 the Joint State Board of Labor and Industries and Industrial Accidents hereby requires that every physician treating a patient whom he believes to be suffering from poisoning from lead, brass, phosphorus, arsenic or mercury or their compounds, or wood alcohol, or from anthrax, or from compressed air illness, to report within 48 hours to the State Board of Labor and Industries, the information relating thereto called for by the reporting blanks issued by the said board. Every such physician is hereby requested to make reports on the said blanks to the State Board of Labor and Industries of any patient whom he treats that is suffering from any other ailment or disease which the physician believes to have been contracted as a result of the nature, circumstances or conditions of the patient's employment."

MASSACHUSETTS.

State Board of Labor; Industries,

1915.

Industrial Disease. Section 6. The joint board may require every physician treating a patient whom he believes to be suffering from any ailment or disease contracted as a result of the nature, circumstances or conditions of the patient's employment to report such information relating thereto as it may require, within such time as it may fix, to the State Board of Labor and Industries, and may issue a list of such diseases which shall be regularly reported upon by physicians and may add to or change such list at any time. Copies of all such reports and all statistics and data compiled therefrom shall be kept by the State Board of Labor and Industries, and shall be furnished on request to the Industrial Accident Board and the State Board of Health.

Rules and Regulations. Every factory, workshop, manufacturing, mechanical and mercantile establishment shall be well lighted, well ventilated and kept clean and free from unsanitary conditions, accord-

ing to such reasonable rules and regulations as may be adopted with reference thereto by the State Board of Labor and Industries.

Section 1. Upon the request of any member of the inspection department of the district police, or upon the request of any five employes in a factory or workshop, it shall be the duty of the State Board of Labor and Industries established by Chapter 726 of the Acts of the year 1912 to investigate and ascertain whether or not such factory or workshop is adequately lighted. If said board shall be of the opinion, after such investigation, that the factory or workshop is not properly lighted, it shall notify the owner or the person in charge thereof and shall specify what changes should be made in order to light properly the factory or workshop, and the owner or lessee of such factory or workshop shall make the changes so specified as soon as it can be done by the exercise of reasonable diligence.

Sec. 2. Any owner or lessee of a factory or workshop who fails to comply with any order of the State Board of Labor and Industries made under the provisions of Sec. 1 of this act, provided that such failure is not the result of causes beyond the control of the owner or lessee, shall be punished by a fine not exceeding five hundred dollars.

Issuance of Printed Matter on Protection of Eyes.

Section 1. The inspectors of the State Board of Labor and Industries, or such other officers as the said board may from time to time appoint, shall, when obtaining information concerning the proper lighting of factories, workshops and other industrial establishments, make such investigation concerning the eye and vision in their relation to diseases of occupation, including injuries to the eyes of the employes, and to the pathological effects which are produced or promoted by the circumstances under which the various occupations are carried on, as, in the opinion of said board is practicable, and the board shall from time to time issue such printed matter containing suggestions to employers and employes for the protection of the eyes of the employes as it may deem advisable.

Sec. 2. If it appears to an inspector . . . or other officer appointed by said board, that in any factory, workshop or other industrial establishment, from the nature of the work or of the machinery used in connection therewith, or of other circumstances, there is danger of injury to the eyes of employes engaged in such work, and that the danger of injury may be decreased or prevented by any mechanical device or other practicable means, he shall, if said board so directs, order in writing that such device or other means shall be provided therein; and it shall be the duty of the proprietors and managers of the factory, workshop, or other industrial establishment to comply with the order.

Sec. 3. Any person, firm or corporation violating any provision of this act shall be subject to a fine of not less than five nor more than two hundred dollars for every week during which such violation continues: Provided, however, that a criminal prosecution for any violation hereof shall not be begun unless such person, firm or corporation shall, for a period of four weeks after the receipt of an order in writing from an inspector of the Board of Labor and Industries or other

officer, as provided in the preceding section, neglect to comply therewith.

Protection from Dust. Section 86. Any person, firm or corporation operating a factory or workshop in which emery wheels or belts or buffing wheels or belts injurious to the health of employes are used shall provide such wheels and belts with a hood or hopper connected with suction pipes, and with fans or blowers, in accordance with the provisions hereinafter contained, which apparatus shall be so placed and operated as to protect any person using such wheel or belt from the particles or dust produced by its operation, and to convey the particles or dust either outside of the building or to some receptacle so placed as to receive and confine such particles or dust.

Sec. 87. Every such wheel shall be fitted with a sheet iron or cast iron hood or hopper of such form and so placed that the particles or dust produced by the operation of the wheel or of any belt connected therewith shall fall or will be thrown into such hood or hopper by centrifugal force; and the fans or blowers shall be of such size and shall be run at such speed as will produce a volume and velocity of air in the suction and discharge pipes sufficient effectually to convey all particles or dust from the hood or hopper through the suction pipes and so outside of the building or to a receptacle as aforesaid. The suction pipes and connections shall be suitable and efficacious, and such as shall be approved by an inspector of the State Board of Labor and Industries.

Sec. 88. The two preceding sections shall not apply to grinding machines upon which water is used at the point of grinding contact, nor to solid emery wheels used in saw mills or in planing mills or in other wood working establishments, nor to any emery wheel six inches or less in diameter used in establishments where the principal business is not emery wheel grinding.

State Board of Health,
1915.

Common Towels.
Acts of 1912, 59.

State Department of Health May Establish Rules and Regulations.

Section 1. In order to prevent the spread of communicable diseases, the State Board of Health is hereby authorized to prohibit in hotels and in such public places, vehicles or buildings as it may designate the providing of a common towel, and the board may establish rules and regulations for this purpose.

Sec. 2. Whoever violates the provisions of this act, or any rule or regulation of the State Board of Health made under authority hereof, shall be deemed guilty of a misdemeanor and be liable to a fine not exceeding twenty-five dollars for each offense.

[Note. In accordance with the provisions of the above chapter, the State Board of Health, at a regular meeting held April 4, 1912, voted to make the following regulations in relation to providing the common towel:

On and after June 1, 1912, it shall be unlawful to provide a common towel:

(a) In a lavatory used in connection with any public institution, school house, hotel, restaurant, theatre or public hall;

(b) In a lavatory used in connection with any railroad station, railroad car, steam or ferry boat.

The term "common towel," as used in these regulations, shall be considered to mean a roller towel or a towel available for use by more than one person without being washed after such use.]

Guarding of Machinery. Sec. 2. The belting, shafting, gearing, drums and all machinery having movable parts in all factories, mechanical establishments, workshops and mercantile establishments if so placed as to be dangerous to employes therein while engaged in their ordinary duties, shall be, so far as is practicable, securely guarded. No machinery except steam engines in a factory, mechanical establishment, workshop or mercantile establishment shall be cleaned while running if objection in writing is made by one of the inspectors of said board.

Sec. 3. Nothing in this act shall be construed as applying to the belting, shafting, gearing, drums or machinery used in the operation of elevators, nor in any way as affecting the powers of the board of elevator regulations given by Chapter 806 of the Acts of the year 1913.

NEVADA.

Legislature,

1915.

Compensation for the Loss of an Eye.

For permanent total disability, compensation of fifty per cent of the average monthly wage, but not more than sixty dollars nor less than twenty dollars a month, for a period not to exceed one hundred months, total amount not to exceed five thousand dollars.

In case of the following specified injuries, the disability caused thereby shall be deemed total and permanent:

1. The total and permanent loss of sight in both eyes.

For temporary partial disability, one-half of the difference between the wages earned before injury and wages which the injured is able to earn thereafter, but not more than forty dollars a month for a period not to exceed sixty months during the period of such disability.

In the case of any of the following specified injuries, the disability caused thereby shall be deemed a permanent partial disability and the amounts named shall be paid in addition to compensation paid for temporary total disability:

16. For the loss of an eye, fifty per cent of the average monthly wages during twenty-five months.

20. The permanent and complete loss of sight in one eye may be deemed as the loss of one eye.

CALIFORNIA.

1915.

Chapter 485, Sec. 1. Every medical practitioner attending on or called in to visit a patient whom he believe to be suffering from lead, phosphorus, arsenic or mercury or their compounds, or from anthrax or from compressed-air illness, contracted as a result of the nature of the patient's employment, shall send to the State Board of Health a notice

stating the name and full postal address and place of employment of the patient and the disease from which, in the opinion of the medical practitioner, the patient is suffering, and shall be entitled in respect of every bona fide notice sent in pursuance of this section to a fee of fifty cents, to be paid as part of the expense incurred by the State Board of Health in the execution of this act.

MONTANA.

Legislature,

1915.

Compensation for the Loss of an Eye.

For the loss of:

One eye by enucleation.....120 weeks

Total blindness of one eye.....100 weeks

Sec. 50. (a) No employer shall construct, maintain or operate, or cause to be constructed, maintained or operated any place of employment that is not safe.

Sec. 50. (b) No employe shall remove, displace, damage, destroy, or carry off any safety device, or safeguard furnished and provided for use in any employment or place of employment, or interfere in any way with the use thereof by any other person, or interfere with the use of any method or process adopted for protection of any employe in such employment or place of employment, or fail or neglect to do anything reasonably necessary to protect the life and safety of himself and other employes.

IDAHO.

1915.

Sec. 7. Individual Towels. It shall be unlawful for each and every hotel having a public wash room to have what is known as a common towel, but shall keep at all times a sufficient supply of individual clean towels in sight and easy of access to guests.

3. Individual Clean Towels and Suits. All bathing suits and towels furnished patrons shall be clean, and shall not be used by more than one person before laundrying. The use of a common towel, comb and brush is prohibited.

WASHINGTON.

Legislature,

1915.

That any person, firm, corporation or association operating a factory, mill or workshop where machinery is used shall provide and maintain in use, belt shifters or other mechanical contrivances for the purpose of thrown on or off belts on pulleys while running, where the same are practicable, with due regard to the nature and purpose of said belts and the dangers to employes therefrom; also reasonable safeguards for all vats, pans, trimmers, cut-off, gang-edger and other saws, planers, cogs, gearings, belting, shafting, coupling, set-screws, live rollers, conveyors, mangles in laundries and machinery of other or similar description, which it is practicable to guard, and which can be machinery and appliances, and the dangers to employes therefrom, and with which the employes of any such factory, mill or workshop are effectively guarded with due regard to the ordinary use of such

liable to come in contact while in the performance of their duties; and if any machine or any part thereof is in a defective condition, and its operation would be extra hazardous because of such defect, or if any machine is not safeguarded as provided in this act, the use thereof is prohibited, and a notice to that effect shall be attached thereto by the employer or inspector immediately on receiving notice of such defect or lack of safeguard, and such notice shall not be removed until said defect has been remedied or the machine safeguarded as herein provided. (Sec. 1, Chap. 205, '07.)

Any employe of any person, firm, corporation or association shall notify his employer of any defect in, or failure to guard the machinery, appliances, ways, works and plants, with which or in or about which he is working, when any such defect or failure to guard shall come to the knowledge of any said employe, and if said employer shall fail to remedy such defects then said employe may complain in writing to the Commissioner of Labor of any such alleged defects in or failure to guard the machinery, appliances, ways, works and plants, or any alleged violation by such person, firm, corporation or association, of any of the provisions of this act, in the machinery and appliances and premises used by such person, firm, corporation or association, and with or about which such employe is working, and upon receiving such complaint it shall be the duty of the Commissioner of Labor, by himself or his deputy, to forthwith make an inspection of the machinery and appliances complained of. (Sec. 6, Chap. 84, '05.)

State Board of Health,
1915.

The common roller towel shall be abolished on all common carriers and in waiting rooms.

NEW HAMPSHIRE.

Legislature,
1915

An Act to Restrict the Use of Common Towels.

Be it enacted by the Senate and House of Representatives in General Court convened:

Section 1. In order to prevent the spread of communicable diseases, the use of the common towel is hereby prohibited in all public places, vehicles, or buildings, and the State Board of Health is hereby authorized to enforce this act.

Sec. 2. Whoever violates the provisions of this act, or any rule or regulation of the State Board of Health made under authority hereof, shall be deemed guilty of a misdemeanor and be liable to a fine not exceeding twenty-five dollars for each offense.

Sec. 3. This act shall take effect on the first day of June, 1915.

Approved March 31, 1915.

NEW YORK STATE.

Legislature,
1915.

20—b. Protection of Employes. All factories, factory buildings, mercantile establishments and other places to which this chapter is applicable, shall be so constructed, equipped, arranged, operated and

conducted in all respects as to provide reasonable and adequate protection to the lives, health and safety of all persons employed therein. The industrial board shall, from time to time, make such rules and regulations as will carry into effect the provisions of this section.

Sec. 65. Industrial Poisonings to Be Reported. 1. Every medical practitioner attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood alcohol, mercury or their compounds, or from anthrax, or from compressed air illness, contracted as the result of the nature of the patient's employment, shall send to the Commissioner of Labor a notice stating the name and full postal address and place of employment of the patient and the disease from which, in the opinion of the medical practitioner, the patient is suffering, with such other and further information as may be required by the said commissioner.

2. If any medical practitioner, when required by this section to send a notice, fails forthwith to send the same, he shall be liable to a fine not exceeding ten dollars.

3. It shall be the duty of the Commissioner of Labor to enforce the provisions of this section, and he may call upon the state and local boards of health for assistance.

Sec. 81. Protection of Employes Operating Machinery; Dust-Creating Machinery; Lighting of Factories and Workrooms. 1. The owner or person in charge of a factory where machinery is used, shall provide, as may be required by the rules and regulations of the Industrial Board, belt shifters or other mechanical contrivances for the purpose of throwing on or off belts or pulleys. Whenever practicable, all machinery shall be provided with loose pulleys. Every vat and pan wherever set so that the opening or top thereof is at a lower level than the elbow of the operator or operators at work about the same shall be protected by a cover which shall be maintained over the same while in use in such manner as effectually to prevent such operators or other persons falling therein or coming in contact with the contents thereof, except that where it is necessary to remove such cover while any such vat or pan is in use, such vat or pan shall be protected by an adequate railing around the same. Every hydro-extractor shall be covered or otherwise properly guarded while in motion. Every saw shall be provided with a proper and effective guard. Every planer shall be protected by a substantial hood or covering. Every hand-planer or jointer shall be provided with a proper and effective guard. All cogs and gearing shall be boxed or cased either with metal or wood. All belting within seven feet of the floors shall be properly guarded. All revolving shafting within seven feet of the floors shall be protected on its exposed surface by being encased in such a manner as to effectively prevent any part of the body, hair or clothing of the operators or other persons from coming in contact with such shafting. All set-screws, keys, bolts and all parts projecting beyond the surface of revolving shafting shall be countersunk or provided with suitable covering, and machinery of every description shall be properly guarded and provided with proper safety appliances or devices. All machines, machinery, apparatus, furniture and fixtures shall be so placed and guarded in relation to one another as to be safe for all persons. When-

ever any danger exists which requires any special care as to the character and condition of the clothing of the persons employed thereabouts, or which requires the use of special clothing or guards, the industrial board may make rules and regulations prescribing what shall be used or worn for the purpose of guarding against such danger and regulating the provision, maintenance and use thereof. No person shall remove or make ineffective any safeguard or safety appliance or device around or attached to machinery, vats or pans, unless for the purpose of immediately making repairs thereto or adjustment thereof, and any person who removes or makes ineffective any such safeguard, safety appliance or device for a permitted purpose shall immediately replace the same when such purpose is accomplished. It shall be the duty of the employer and of every person exercising direction or control over the person who removes such safeguard, safety appliance or device, or over any person for whose protection it is designed to see that a safeguard or safety appliance or device that has been removed is promptly and properly replaced. All fencing, safeguards, safety appliances and devices must be constantly maintained in proper condition. When in the opinion of the Commissioner of Labor a machine or any part thereof is in a dangerous condition or is not properly guarded or is dangerously placed, the use thereof shall be prohibited by the Commissioner of Labor and a notice to that effect shall be attached thereto. Such notice shall not be removed except by an authorized representative of the Department of Labor, nor until the machinery is made safe and the required safeguards or safety appliances or devices are provided, and in the meantime such unsafe or dangerous machinery shall not be used. The Industrial Board may make rules and regulations regulating the installation, position, operation, guarding and use of machines and machinery in operation in factories, the furnishing and use of safety devices and safety appliances for machines and machinery and of guards to be worn upon the person, and other cognate matters, whenever it finds such regulations necessary in order to provide for the prevention of accidents in factories.

2. All grinding, polishing or buffing wheels used in the course of the manufacture of articles of the baser metals shall be equipped with proper hoods and pipes and such pipes shall be connected to an exhaust fan of sufficient capacity and power to remove all matter thrown off such wheels in the course of their use. Such fan shall be kept running constantly while such grinding, polishing or buffing wheels are in operation; except that in case of wet-grinding it is unnecessary to comply with this provision unless required by the rules and regulations of the Industrial Board. All machinery creating dust or impurities shall be equipped with proper hoods and pipes and such pipes shall be connected to an exhaust fan of sufficient capacity and power to remove such dust or impurities; such fan shall be kept running constantly while such machinery is in use; except where, in case of wood-working machinery, the Industrial Board shall decide that it is unnecessary for the health and welfare of the operatives.

4. All workrooms shall be properly and adequately lighted during working hours. Artificial illuminants in every workroom shall be installed, arranged and used so that the light furnished will at all times

be sufficient and adequate for the work carried on therein, and so as to prevent unnecessary strain on the vision or glare in the eyes of the workers. The Industrial Board may make rules and regulations to provide for adequate and sufficient natural and artificial lighting facilities in all factories.

Regulation 2. Common Towel Forbidden. No person, firm or corporation owning, in charge of, or in control of any lavatory or wash room in any hotel, lodging house, restaurant, factory, store, office building, railway or trolley station, or public conveyance by land or water shall provide in or about such lavatory or wash room any towel for common use. The term "common use" in this regulation shall be construed to mean for use by more than one person without cleansing.

This regulation shall take effect throughout the state of New York, except in the City of New York, on the first day of March, 1915.

Rule 155. The use of any towel or towels in common is prohibited.

Rule 156. If paper towels are supplied, metal receptacles for used towels shall be provided.

Rule 562. Where natural light is insufficient properly to light the foundry, artificial light of sufficient power shall be provided, in the discretion of the Commissioner of Labor.

Rule 563. Interior walls of foundries shall be whitened, in the discretion of the Commissioner of Labor.

Rule 700. Every grinding, polishing and buffing wheel, except such wheels as are used in the manufacture of articles of gold and platinum, shall be provided with a hood connected by means of a pipe to an exhaust fan or other suction device, in such manner as to carry away the dust and refuse thrown off by such wheel to some receptacle so placed as to receive and confine the dust. Every such hood shall be made of metal or other suitable material and be of such form and so located in relation to the grinding surface of the wheel that the dust and refuse therefrom will fall into or be drawn into the hood and be carried off by the pipe attached to it. An emery wheel which is used occasionally by workmen for grinding tools used in the shop shall not be required to be so equipped, provided it has a hood, casing or other device to prevent particles from being thrown upon the operator. Every grinding wheel upon which water is used at the point of grinding contact shall be similarly guarded, but connection with an exhaust shall not be required unless dust is thrown off from such wheel.

Every hood shall be so constructed as to expose the smallest portion of the wheel consistent with efficient operation, and its free edges shall be turned back or faced to prevent injury to the hands of workmen. Where there is likelihood that the hood may scratch the work, the edges of the hood should be covered with leather or other suitable covering.

The Commissioner may modify the requirements of this rule for machines of special types for which it proves impracticable to provide hoods.

D. Lead Dusts and Fumes.

Rule 721. Every work or process in the manufacture or use of

white lead, red lead, litharge, sugar of lead, arsenate of lead, lead chromate, lead sulphate, lead nitrate or fluo-silicate, or in the manufacture of pottery, tiles or porcelain enameled sanitary ware, including the corroding or oxidizing of lead, and the crushing, mixing, sifting, grinding and packing of all lead salts or other compounds shall be so conducted, and such adequate devices provided and maintained by the employer as to protect the employe, as far as possible, from contact with lead dust or lead fumes. Every kettle, vessel, receptacle or furnace in which lead in any form above enumerated is being melted or treated, and any place where the contents of such kettles, receptacles or furnaces are discharged, shall be provided with a hood so constructed and located that the dust or fumes will be drawn into it, and connected with an efficient air exhaust; all vessels or containers in which dry lead in any chemical form or combination above enumerated is being conveyed from one place to another within the factory shall be equipped, at the places where the same are filled or discharged, with hoods having connection with an efficient air-exhaust; and all hoppers, chutes, conveyors, elevators, separators, vents from separators, dumps, pulverizers, chasers, dry-pans, other apparatus for drying pulp lead, dry-pans dump, and all barrel packers and cars or other receptacles into which corrosions are at the time being emptied, shall be connected with an efficient dust-collecting system. Such system shall be regulated by the discharge of air from a fan, or other apparatus, either through a cloth dust-collector having an area of not less than one-half ($\frac{1}{2}$) square foot of cloth to every cubic foot of air passing through it per minute, the dust-collector to be placed in a separate room which no employe shall be required or allowed to enter, except for essential repairs, while the works are in operation; or such other apparatus as will efficiently remove the lead dusts from the air before it is discharged into the outdoor air.

Rule 722. The employer shall provide, and renew when necessary, at least two (2) respirators of approved type for each employe who is engaged in any work or process which produces lead dusts.

Compensation for the Loss of an Eye.

Eye. For the loss of an eye, one hundred and twenty-eight weeks.

5. Limitation. The compensation payment under subdivisions one, two and four and under subdivision three except in case of the loss of a hand, arm, foot, leg or eye, shall not exceed fifteen dollars per week nor be less than five dollars per week; the compensation payment under subdivision three in case of the loss of a hand, arm, foot, leg or eye, shall not exceed twenty dollars per week nor be less than five dollars a week; provided, however, that if the employe's wages at the time of injury are less than five dollars per week he shall receive his full weekly wages.

NEW YORK CITY.

Sanitary Code,

1915.

Sec. 55. Theatres, manufactories, and work rooms; sanitary conditions, lighting, heating and ventilation.—The owner, agent, lessee, tenant, manager and person conducting every theatre, auditorium,

assembly hall, factory, work room, store or office, shall cause every part thereof and its appurtenances to be put, and shall thereafter cause the same to be kept, in a cleanly and sanitary condition, and shall cause every room thereof to be adequately lighted.

Sec. 214. Use of common towels prohibited.—No person, firm or corporation having the management and control of any factory, department store or other business establishment, school, hotel, theatre, concert hall, restaurant, cafe or beer, wine or liquor saloon, railroad station, railroad car, ferry house, ferry boat, public lavatory, public wash room, public comfort station, or any other public place, shall maintain therein or thereat any towel or towels for use in common.

The term "for use in common" as employed herein shall be construed to mean, for the use of or intended to be used by, more than one person.

The term "corporation" as used herein shall be construed to mean and include a municipal corporation. (S. C. Sec. 190.) (As amended by the Board of Health June 30, 1915.)

ILLINOIS.
Legislature,
1915.

An act to provide for the health, safety and comfort of employes in factories, mercantile establishments, mills and work shops in this state, and to provide for the enforcement thereof.

Section 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly: That all power driven machinery, including all saws, planers, wood shapers, jointers, sandpaper machines, iron mangles, emery wheels, ovens, furnaces, forges and rollers of metal; all projecting set screws on moving parts; all drums, cogs, gearing, belting, shafting, tables, fly wheels, flying shuttles and hydro extractors; all laundry machinery, mill gearing and machinery of every description; all systems of electrical wiring or transmission; all dynamos and other electrical apparatus and appliances; all vats or pans, and all receptacles containing molten metal or hot or corrosive fluids, in any factory, mercantile establishment, mill or work shop, shall be so located wherever possible, as not to be dangerous to employes or shall be properly enclosed, fenced or otherwise protected. All dangerous places in or about mercantile establishments, factories, mills or work shops, near to which any employe is obliged to pass, or to be employed shall, where practicable, be properly enclosed, fenced or otherwise guarded. No machine in any factory, mercantile establishment, mill or work shop, shall be used when the same is known to be dangerously defective, and no repairs shall be made to the active mechanism or operative part of any machine when the machine is in motion.

2. Removing and Replacing Safeguards: No person shall remove or make ineffective any safeguard required by this act, during the active use or operation of the guarded machine or device, except for the purpose of immediately making repairs thereto, and all such safeguards so removed shall be promptly replaced.

(a) Where machines require to be started and stopped frequently,

they shall, whenever practicable, be provided with tight and loose pulleys, clutch or other effective disengaging device. When provided with tight and loose pulley, the shifting of the belt shall be accomplished by the use of a belt shifter, placed within easy reach of the operator. When a clutch, or other disengaging device is used, an effective means for throwing such device into or out of engagement shall be provided and shall be placed within easy reach of the operator.

17. **Lights**—Where and When Necessary: In all factories, mercantile establishments, mills or work shops, a proper light shall be kept burning by the owner or lessee in all main passage ways, main hallways, at all main stairs, main stair landings and shafts, and in front of all passenger or freight elevators, upon the entrance floors and upon the other floors, on every work day of the year, from the time that the building is opened for use until the time when it is closed, except at times when the influx of natural light shall make artificial light unnecessary: Provided, that when two or more tenants, occupy different floors in one building, such elevator shafts need be lighted only on the floors occupied and used by employees.

An act to promote the public health by protecting certain employes in this state from the dangers of occupational diseases, and providing for the enforcement thereof.

Section 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly: That every employer of labor in this state, engaged in carrying on any work or process which may produce any illness or disease peculiar to the work or process carried on, or which subjects the employes to the danger of illness or disease incident to such work or process, to which employes are not ordinarily exposed in other lines of employment, shall, for the protection of all employes engaged in such work or process, adopt and provide reasonable and approved devices, means or methods for the prevention of such industrial or occupational diseases as are incident to such work or process.

2. Every employer in this state engaged in the carrying on of any process of manufacture or labor in which sugar of lead, white lead, lead chromate, litharage, red lead, arsenate of lead, or Paris green are employed, used or handled, or the manufacture of brass or the smelting of lead or zinc, which processes and employments are hereby declared to be especially dangerous to the health of the employes engaged in any process of manufacture or labor in which poisonous chemicals, minerals or other substances are used or handled by the employes therein in harmful quantities, or under harmful conditions, shall provide for and place at the disposal of the employes engaged in any such process or manufacture and shall maintain in good condition and without cost to the employes, proper working clothing to be kept and used exclusively for such employes while at work, and all employes therein shall be required at all times while they are at work to use and wear such clothing; and in all processes of manufacture or labor referred to in this section which are unnecessarily productive of noxious or poisonous dusts, adequate and approved respirators shall be furnished and maintained by the employer in good condition and without cost to the employes, and such employes

shall use such respirators at all times while engaged in any work necessarily productive of noxious or poisonous dusts.

3. Every employer engaged in carrying on any process or manufacture referred to in section 2 of this act, shall, as often as once every calendar month, cause all employes who come into direct contact with the poisonous agencies or injurious processes referred to in section 2 of this act, to be examined by a competent licensed physician for the purpose of ascertaining if there exists in any employe any industrial or occupational disease or illness or any disease or illness due or incident to the character of the work in which the employe is engaged.

4. It is hereby made the duty of any licensed physician who shall make the physical examination of employes under the provisions of section 3 of this act, to make an immediate report thereof to the State Board of Health of the State of Illinois upon blanks to be furnished by said board upon request, and if no such disease or illness is found the physician shall so report, and if any such disease is found, the report shall state the name, address, sex and age of such employe and the name of such employer, and the nature of the disease or illness with which the employe is afflicted, and the probable extent and duration thereof, and the last place of employment: Provided, that the failure of any such physician to receive the blanks of the State Board of Health for the making of such report, shall not excuse such physician from making the report as herein provided.

5. The Secretary of the State Board of Health shall, immediately upon receipt of any report from any physician in accordance with the provisions of section 4 of this act, transmit a copy thereof to the Illinois Department of Factory Inspection.

6. Every employer engaged in carrying on any process or manufacture referred to in section 2 of this act, shall provide, separate and apart from the work shop in which such employes are engaged, a dressing room and lavatory for the use of such employes who are exposed to poisonous or injurious dusts, fumes and gases, and such lavatory shall be kept and maintained in a clean and wholesome manner and provided with a sufficient number of basins or spigots, with adequate washing facilities, including hot and cold water, clean towels and soap and shower bath, and the dressing rooms shall be furnished with clothes presses or compartments, so that the ordinary street clothes of such employes shall be kept separate and apart from their working clothes.

7. No employe shall take or be allowed to take any food or drink of any kind into any room or apartment in which any process or manufacture referred to in section 2 of this act is carried on, or in which poisonous substances or injurious or noxious fumes, dusts or gases are present as the result of such work or process being carried on in such room or apartment, and the employes shall not remain in any such room or apartment during the time allowed for meals, and suitable provision shall be made and maintained by the employer for enabling the employes to take their meals elsewhere in such place of employment, and a sufficient number of sanitary closed receptacles containing wholesome drinking water shall be provided and main-

tained for the use of the employees within reasonable access and without cost to them.

8. All employers engaged in carrying on any process or manufacture referred to in section 2 of this act, shall provide and maintain adequate devices for carrying off all poisonous or injurious fumes from any furnaces which may be employed in any such process or manufacture, and shall also provide and maintain adequate facilities for carrying off all injurious dust, and the floors in any room or apartment where such work or process is carried on shall, so far as practicable, be kept and maintained in a smooth and hard condition, and no sweeping shall be permitted during working hours except where the floors in such work shop are dampened so as to prevent the raising of dust; and all ore, slag, dross and fumes shall be kept in some room or apartment separate from the working rooms occupied by the employees, and where practicable, all mixing and weighing of such ore, slag, dross or fume shall be done in such separate room or apartment, and all such material shall, so far as practicable, be dampened before being handled or transported by employees.

9. When any flues are used in any such process or manufacture referred to in section 2 of this act, and such flues are being cleaned out or emptied, the employer shall in every case provide and maintain a sufficient and adequate means or device, such as canvas bags or other practical device, or by dampening the dust, or some other sufficient method for catching and collecting the dust and preventing it from unreasonably fouling or polluting the air in which the employees are obliged to work, and wherever practicable, the dust occasioned in any process or manufacture referred to in section 2 of this act, and any polishing or finishing therein, shall be dampened or wet down, and every reasonable precaution shall be adopted by the employer to prevent the unnecessary creation or raising of dust, and all floors shall be washed or scrubbed at least once every working day; and such parts of the work or process as are especially dangerous to employees, on account of poisonous fumes, dusts and gases, shall, where practicable, be carried on in separate rooms and under cover of some suitable and sufficient device to remove the danger to the health of such employees, as far as may be reasonably consistent with the manufacturing process, and the fixtures and tools employed in any such process or manufacture, shall be thoroughly washed and cleaned at reasonable intervals.

10. All hoppers or chutes or similar devices used in the course of any process or manufacture referred to in section 2 of this act shall, where practicable, be provided with a hood or covering, and an adequate and sufficient apparatus or other proper device for the purpose of drawing away from the employees noxious, poisonous or injurious dusts, and preventing the employees from coming into unnecessary contact therewith; and all conveyances or receptacles used for the transportation about or the storage in any place where any such process or manufacture referred to in section 2 of this act is carried on, shall be properly covered or dampened in such way as to protect the health of the employees, and no refuse of a dangerous character incident to the work or process carried on in any such

place shall be allowed to unnecessarily accumulate on the floors thereof.

11. It shall be the duty of the State Department of Factory Inspection to enforce the provisions of this act and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this state, and for that purpose such department and its inspectors are empowered to visit and inspect at all reasonable times all places of employment covered by the provisions of this act. In the enforcement of the provisions hereof the Department of Factory Inspection shall give proper notice in regard to any violation of this act to any employer of labor violating it, and directing the installment of any approved device, means or method reasonably necessary, in his judgment, to protect the health of the employes therein, and such notice shall be written or printed and shall be signed officially by the Chief State Factory Inspector or the Assistant Chief State Factory Inspector, and said notice may be served by delivering the same to the person upon whom service is to be had, or by leaving at his usual place of abode or business an exact copy thereof, or by sending a copy thereof to such person by registered mail, and upon receipt of such notice calling the attention of the employer to such violation, he shall immediately comply with all the provisions of this act.

12. If any occupational or industrial disease or illness or any disease or illness peculiar to the work or process carried on shall be found in any place of employment in this state by the inspectors of the State Department of Factory Inspection, or called to their attention by the State Board of Health, which disease or illness shall be caused in whole or in part, in the opinion of the inspector, by a disregard by the employer of the provisions of this act, or a failure on the part of the employer to adopt reasonable appliances, devices, means or methods which are known to be reasonably adequate and sufficient to prevent the contraction or continuation of any such disease or illness, it shall be the duty of the Department of Factory Inspection to immediately notify the employer in such place of employment, in the manner provided in section 11 of this act, to install adequate and approved appliances, devices, means or methods to prevent the contracting and continuance of any such disease or illness and to comply with all the provisions of this act.

13. For the purpose of disseminating a general knowledge of the provisions of this act and of the dangers to the health of employes in any work or process covered by the provisions of this act, the employer shall post in a conspicuous place in every room or apartment in which any such work or process is carried on, appropriate notices of the known dangers to the health of any such employes arising from such work or process, and simple instructions as to any known means of avoiding, so far as possible, the injurious consequences thereof, and the Chief State Factory Inspector shall, upon request, have prepared a notice covering the salient features of this act, and furnish a reasonable number of copies thereof to employers in this state, covered by the provisions of this act, which notice shall be posted by every such employer in a conspicuous place in every room or apart-

ment in such place of employment. The notices required by this section shall be printed on cardboard of suitable character and the type used shall be such as to make them easily legible, and in addition to English they shall be printed in such other language or languages as may be necessary to make them intelligible to the employes.

14. Any person, firm or corporation who shall, personally or through any agent, violate any of the provisions of this act, or who omits or fails to comply with any of its requirements, or who obstructs or interferes with any examination or investigation being made by the State Department of Factory Inspection in accordance with the provisions of this act, or any employe who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished for the first offense by a fine of not less than ten dollars (\$10.00) or more than one hundred dollars (\$100.00), and upon conviction of the second or subsequent offenses, shall be fined not less than fifty dollars (\$50.00) or more than two hundred dollars (\$200.00), and in each case shall stand committed until such fine and costs are paid, unless otherwise discharged by due process of law.

15. For any injury to the health of any employe proximately caused by any wilful violation of this act or wilful failure to comply with any of its provisions, a right of action shall accrue to the party whose health has been so injured, for any direct damages sustained thereby; and in case of the loss of life by reason of such wilful violation or wilful failure as aforesaid, a right of action shall accrue to the widow of such deceased person, his lineal heirs or adopted children, or to any other person or persons who were, before such loss of life, dependent for support upon such deceased person, for a like recovery of damages for the injury sustained by reason of such loss of life, not to exceed the sum of ten thousand dollars: Provided, that every such action for damages in case of death shall be commenced within one year after the death of such employe.

16. The invalidity of any portion of this act shall not affect the validity of any other portion thereof which can be given effect without such invalid part.

Approved May 26, 1911.

In force July 1, 1911.

Compensation for the Loss of an Eye.

In addition to the usual compensation for injuries, sickness, etc., the loss of an eye is estimated as follows:

For the loss of the sight of an eye, fifty per centum of the average weekly wage during one hundred weeks.

The following 16 states have passed some kind of legislation concerning the abolishment of the "Common Towel": District of Columbia, Colorado, Indiana, Louisiana, Missouri, Pennsylvania, Vermont, Wisconsin, Virginia, South Carolina, Maine, Massachusetts, Idaho, Washington, New Hampshire and New York.

The following 14 states have some kind of law concerning the adequate lighting of shops: District of Columbia, Connecticut,

Kansas, Rhode Island, Louisiana, Missouri, Pennsylvania, Michigan, Vermont, Wisconsin, Tennessee, Ohio, Massachusetts and New York.

The following 22 states have passed some kind of legislation concerning safety devices, the care of machinery, etc.: Connecticut, Kansas, Rhode Island, Colorado, Oregon, Indiana, Missouri, Pennsylvania, Michigan, Vermont, Wisconsin, Tennessee, Minnesota, Iowa, Ohio, Kentucky, Virginia, Massachusetts, Montana, Washington, New York and Illinois.

The following 7 states have laws concerning compensation for ocular injuries: Colorado, Indiana, Wisconsin, Nevada, Montana, New York and Illinois.

The following 11 states have some kind of legislation concerning the poisoning of workmen by the inhalation or absorption of chemicals: Missouri, Pennsylvania, Michigan, Wisconsin, Minnesota, Ohio, Maine, Massachusetts, California, New York and Illinois.

7 W. Madison St.

STATE LEGISLATION CONCERNING OPTOMETRY.

(Paper No. 6)

FRANK ALLPORT, M. D.,

CHICAGO, ILLINOIS.

The subject of optometry is difficult to frankly discuss as it is one upon which widely different views are entertained by honest and competent observers. The oculist feels that the treatment of refractive errors is practicing medicine, and can be safely undertaken only by a graduated and licensed physician, while the optician feels that the fitting of glasses is largely a mechanical and mathematical problem, and can be performed with entire satisfaction by a properly qualified optician or optometrist. This is the vexed question that has been bitterly discussed on both sides for years, and is not yet settled. In all fairness, however, it must be acknowledged, that, at least so far as practical results are concerned, the opticians have accomplished more than the oculists, for already 39 states have passed laws governing the practice of optometry. The oculist claims that it is impossible to draw a line between the mechanics of refraction and ocular pathology, and that the two are so intimately interwoven, that it is dangerous to undertake to separate them. They are perfectly willing to admit that a well educated optometrist can fit glasses satisfactorily and correctly in a large proportion of cases, but they claim that in many instances no one but a specially educated medical man, can be a safe advisor. They insist that no one can correctly solve many refractive errors, without a mydriatic, and that the use of a mydriatic, by a non-medical man, is not only illegal, but often dangerous. The optometrist urges that licensed optometrists, should be well educated men, who have graduated at high grade optometrical colleges, and have been duly licensed by a state board of examiners to practice their profession. They claim that under these conditions they are quite competent to recognize pathological ocular conditions, and to abstain from meddling in such cases. Most of them claim that mydriatics are unnecessary, and others hire some medical man (of diminutive self respect) to use the mydriatic, preparatory to the correction of the refraction. They further claim that the observance of adequate optometrical laws will exterminate low grade and uneducated spectacle venders, and cheap bogus optical colleges, which will result in bestowing a benefit to the public, which has long suffered from the evil consequences of their existence. It may be said in passing that this claim must

be shadowed in doubt, for the practical results in states having optometrical laws, are not always harmonious with the requirements of the laws. Underneath all these humanitarian, and scientific arguments upon each side of the question, will be found the personal element, the financial "milk in the cocoanut." This is hard to acknowledge, but it is nevertheless true. Some men there are, of course, whose professional and financial positions are so secure, as to render them indifferent to the matter; others are really able to contemplate the situation with pure Utopian philosophy, but the majority of practical bread earners fear a diminution of their income, and quite naturally seek to avert the impending disaster. Of course, they believe that their side of the argument is correct, irrespective of money, but the financial aspect of the situation cannot be ignored. The oculist dreads the division of his income with the optometrist, and the small spectacle vendor shudders at the thought of the withdrawal of his entire financial support. The high grade educated optometrist seems to be the only gainer in the transaction, for he not only accumulates the profits of the small spectacle vendor, etc., but he also forces the oculist to surrender a part of his income as well. He is the beneficiary, and *he* is the one who is forcing optometry laws upon the different states. Being the only gainer in the deal the motives controlling his public spirited crusade may certainly be regarded with some suspicion. Another reason for opposition from ophthalmological sources, can be found in a natural suspicion concerning the ultimate intentions of the optometrist. The fear is, that the optometrist may use this primary move as a wedge to an ill-defined ophthalmological practice. In these days, when osteopaths, chiropractors, science healers, etc., seem to flourish, in spite of medical practice laws, it needs but little imagination to conceive of encroachments by optometrists upon ophthalmology, until the public perceives but little difference between oculists and optometrists. Indeed optometrical literature has already appeared, forshadowing such developments. It should be clearly understood, that while the opposition to the optometry movement is endorsed by oculists to a certain extent on account of some of the reasons just recited, the *real* opposition is of the highest character, and consists in a conscientious conviction that real refraction work is practicing medicine and that no one should be allowed to trespass, on this territory, without proper qualifications. They feel that the oculist should prescribe glasses and that the optician should adjust and sell them; neither profession should usurp the functions of the

other. Feeling thus it is astonishing how little interest the medical profession and even the oculists manifest in blocking optometric legislation. The opticians are at the capitol in force and with money; they maintain a lobby; they never give up; but the oculists are few in number, and financially weak; they seem to expect somebody else to fight their battles for them, or that providence will intervene, because they believe their cause to be just. Besides this many of the reputable general practitioners do not take the same view of the matter as is entertained by their ophthalmological colleagues, and either pursue a negative policy or come out openly and espouse the cause of the opticians. This seems strange, but it is nevertheless true. Too much blame must therefore not be attached to legislators and governors for passing optometry bills, especially as many of them have been imposed upon by some of the various grades of opticians, and they therefore rather naturally regard the proposed optometry bill, with its exclusive and educational features, as a step upward, and as an act of legislature calculated to purify the optical ranks, and protect the people from imposition and fraud. This is the view that many take, and they regard ophthalmological opposition as selfish and illogical. Of course, ophthalmologists know differently, but then they are educated, and they are not legislators. Besides most of them are not good business men, and they are not lobbyists nor practical politicians, so it happens that from one cause or the other states have adopted optometry laws, and it is more than likely that the few remaining states will soon do the same; it is doubtful if the tide can be stemmed. Perhaps the best thing that can be done is to adjust matters to fit the inevitable. The best course for physicians specializing more or less in ophthalmology and living in large or small cities, to pursue, is, to equip themselves, to do the most superior and advanced refraction work possible, and to impress upon the public the advisability of consulting medical men for such work. They should also exert themselves to see that the optometry laws are obeyed, that optometrists are properly educated, that they absolutely abstain from the practice of medicine (except so far as fitting glasses is concerned) and that only those passing the legal requirements shall be allowed to advise as to what character of glasses shall be worn. The legally qualified optometrist will also do well to see that the laws are accurately carried out, and that he literally limits his work so that it is in accordance with the reading and meaning of the law. It is possible that by a mutual support and observance of the optometry laws as passed in the various

states, and by a resignation to inevitable conditions, on the part of the oculist, and a determination to keep within proper limits, on the part of the optician, the long and acrimonious discussion between the two may cease, a better understanding may be produced, and a much-to-be-desired peace may be established between the two belligerent factions.

Perhaps no one has written so fairly and comprehensively on the subject of "Oculists and Opticians," as Edward Jackson of Denver, and I have therefore with his consent, copied completely his pamphlet on this subject, that was recently written for the Conservation of Vision Committee of the American Medical Association.

"The use of some kind of a lens as an aid to defective or failing sight dates from the earliest days of civilization. In the ruins of Ninevah has been found a portion of a convex lens, such as might be used by a person who had passed middle life either to read with, or to see clearly objects near the eye. The Roman emperor Nero is said to have had an emerald through which he watched the combats of his gladiators; but this was probably a gem with a polished surface, which served as a mirror rather than as a lens. The Greeks were acquainted with the use of a convex lens as a burning glass or as a magnifier. But the common use of spectacles, and other optical instruments to assist the sight, began in Europe near the close of the thirteenth century, with the making of convex lenses to be used as an aid for the old.

"This invention has been ascribed to Roger Bacon, who gave the earliest account of the usefulness of lenses for this purpose. Alexander de Spina is said to have made spectacles, and to have taught others how to make them. But he did so after hearing of their invention by some one else, who kept the process of their manufacture secret. There is some evidence that they may have been known earlier than this in China. Certain it is that about this time spectacles came into use, and attracted general attention in several European countries; and from this date they began to be shown in paintings, tapestries, and other artistic representations.

"Their usefulness having been demonstrated, the demand for them developed trained artisans, who combined, in high degree, scientific knowledge with mechanical skill. The guilds of spectacle makers received recognition by royalty in France and England in the fifteenth and sixteenth centuries. Spinoza, the Dutch philosopher, made his living for some years by grinding lenses; and some specimens of his handiwork were among the most valuable of his effects left at his death. The scientific optician, if truly worthy

of the name, has a long lineage of learned and skilful workers, to whom he may trace the knowledge and skill that he has mastered and employs.

DEFINITIONS OF SOME IMPORTANT TERMS.

"In discussing this subject we shall have to make frequent use of the words 'physicians,' 'oculist' and 'optician.' Let us see what they mean.

"The word physician was originally used to designate either the man who applied physics to the restoring and preserving of health, or the one who applied the science of physics in other directions, or studied it rather as an abstract science. For the latter the word physicist has come into use; while the word physician indicates one whose applications of physics, chemistry, physiology and other sciences are to the securing of the health of the body. Optics is a branch of physics studied and applied in many ways by the physicist, but not much used by the physician until the last half of the nineteenth century.

"The word oculist is derived from the Latin word *oculus* (eye). The longer word ophthalmologist, derived from the Greek *ophthalmos* (eye), has the same meaning, one who pays special attention to the eye, its variations and diseases.

"Optician comes from the Greek word *optic*, meaning science or knowledge of light; and indicates originally one who studied and applied the science of optics, and thus one who made or dealt in optical instruments. The term optometrist has been devised to indicate one who measures the eyes, being built up from the Greek word *opt* (eye), and *metron* (a measure).

"It might be said in a general way that there are here two classes of words, one to designate the man who studies the eye in all its relations; the other referring to him who studies only the relations of light to the eye, and the means of modifying their relations.

"About 1800 Dr. Thomas Young, who was both physician and physicist, published very important observations on the eye and light. But these received no general practical application, until about 1850, Helmholtz, a physicist and physiologist, invented the ophthalmoscope, which enables us to look into the living eye. This invention caused a great increase of interest in, and knowledge of the diseases of the eye on the part of physicians.

"Shortly after this, Donders, a physician and physiologist, began to study and point out the influence of the defects of optical adjustments of the eye on health. Donders, and other physicians who followed him, finding that not only diseases of the eyes but

also such general conditions as headache, nervousness, indigestion, and many others might arise from eye-strain, through inaccurate optical adjustments of the eyes, devoted a great deal of time to the study of these defects of vision; and the recognition of their importance rapidly extended. Most rapidly did their recognition extend in America, where all branches of science are valued and pursued chiefly for their practical application to human needs. As a result, we know today far more about the eye and its troubles than has ever been known before.

“(Glasses first were used to relieve poor vision that was plainly evident, like short-sight (myopia). Later, they were used to correct less obvious and more minute faults that were often unsuspected but that caused pain, inflammation, or other symptoms. This latter use presents problems such as the physician is accustomed to deal with, in the diagnosis and treatment of disease, and requires quite as much skill and experience.

“Of course the older use of lenses to correct short-sight and old-sight still continues; and is more generally resorted to as people come to value more highly distinctness of sight; and as a larger number come to use their eyes for reading, sewing, etc., and live to the age when these can be done only with the help of glasses. All such glasses, in enormously increased number, have to be prepared for use; and generally with much greater accuracy now, and by more complex processes than formerly. This results in a great increase in the extent and importance of the work done both by oculists and opticians.

“The multiplication of optical instruments other than spectacles has also greatly increased the field of the optician. Telescopes, with their many applications to astronomical, nautical and engineering instruments, besides field and opera glasses; cameras in their myriad shapes and modifications; and projection apparatus, including stereopticon lanterns, cinematographs, flash lights and optical fittings for light houses, all require skilled labor in optics.

“But although all of these, in some way, are used to extend or supplement the powers of the eye, we are here chiefly concerned with the preparation and application of spectacles and eye-glasses. Other optical instruments are adapted to special uses and furnished with appropriate adjustments so that any eye may use them. Spectacles and eye-glasses are adjusted in each case to the needs of a particular pair of eyes; and become a part of the optical outfit of the wearer, necessary to his best vision with the least strain.

THE SERVICE TO BE RENDERED.

"The labor of affording the proper optical assistance for each pair of eyes naturally falls into two departments. First, finding out what the eyes need in the way of optical assistance; second, supplying the glasses demanded in the shape that will be most efficient and satisfactory. The first is a part of the work of the oculist; the second is the work of the optician.

"Both must be familiar with the general principles of optical science. But to such knowledge as they have in common, the one must add a knowledge of health and disease, gained in the medical school; and the other must add a mechanical skill and expertness with the material of which lenses, prisms and mountings are made.

"Our civilization walks and works by sight. Only when we consider how many opportunities for labor are closed to the blind, or by what an heroic struggle a blind man competes in the ordinary occupations of life, do we realize the importance of this fact. Think of the occupations that now engage the labor of great numbers in every civilized community; the factories where delicate machinery is used or made, where fabrics are woven, or countless other articles of commerce are produced. Consider the influence of the sewing machine, or the typewriter, increasing enormously the number of stitches taken or words written, each stitch or word to be watched by the eyes. A prodigious increase in printed matter has occurred in the last fifty years. The old books remain to be read, while editions of new books run into the thousands, and the daily paper contains as much reading matter as a good sized book. General education rests wholly on sight, and the general test of the advance of a people in civilization is the disappearance of illiteracy.

"If we think still more closely about the matter, we perceive that most of the new occupations make demands on the eye, different in kind from what was demanded by the older occupations of hunting, tending flocks, cultivating the soil, or navigating the sea. The new forms of work require the seeing of near objects, to an extent to which the eye has had no time to adapt itself. Some nations may be growing near-sighted; but in such a rapid unnatural way that almost all near-sighted eyes are diseased. The great majority of eyes still have to do their near tasks, struggling under the handicap of far-sightedness. With great numbers of people using their eyes far more than they ever did before, and using them for harder tasks done under conditions for which their eyes are very imperfectly adapted, it is no wonder that there has

sprung up a class of physicians who devote the greater part or the whole of their time to the care of the eyes.

THE WORK OF THE OCULIST.

"It is the work of the oculist to study the conditions present in the eye, and to give advice or prescribe assistance, care or treatment; or to do the operations necessary to restore or preserve the health of the eye. To do his work he must know about the structure of the eye, and the actions of all its different parts, the conditions under which it can work, the defects that may exist in eyes and the injuries they may suffer from light, heat, chemical substances, blows, lacerations, foreign bodies or disease. Since the eyes are a part of the body such knowledge must include a knowledge of the structure and physiology of the body, its methods of repair and the dependence of one part on another; and since the eye is an optical instrument, the oculist must understand the relations of the eye to the light it uses.

"The oculist may be called on to remove an eye that threatens to destroy the sight of its fellow eye or which may contain a cancer which must be removed in order to save the life of the patient. Or he may have to remove a cataract from an eye to restore its sight. Such operations demand the careful, scientific training and mechanical skill of an educated surgeon. He may be required to recognize that the condition seen in the eye is due to some general disease, like tuberculosis; and he must be trained to look for other signs of this disease, and to advise or carry out its general treatment. He may need to prescribe a certain diet for one condition, or to prohibit the use of tobacco or alcoholic liquors to check the course of another. In many cases, the condition to be dealt with in the eye cannot be understood or cured without understanding and treating some condition of general health on which it depends. All this calls for the knowledge and training of the physician.

"The oculist may be asked to decide whether the eye presents any symptoms that may throw light on some impairment of general health that otherwise remains obscure. Is there some disease of the brain, which can be recognized by changes in the optic nerve, or in the field of vision? Is there serious disease of the blood vessels of the body, which is usually first shown in the blood vessels of the retina at the back of the eye? To understand the significance of what he sees in the eye the oculist must have a general medical education.

"On the other hand, the oculist is expected to tell if poor vision is due to some general or ocular disease; or whether it is due to

some defect of focus of the eye. He must understand the methods of recognizing and measuring such faults of focus, the effects that they cause; and the extent to which the symptoms complained of by the patient, or discovered by examining the eye, may arise from the fault of focus in the eye, and to what extent they may be due to disease or injury.

"It has sometimes been suggested that oculists should confine their labors to the surgery and medical treatment of the eye; leaving the measurement and correction of faults of focus to the opticians, who once did all that kind of work that was done. This was left to opticians, when it was not known that faults in the focus of the eye (errors of refraction) caused disturbances of health: and when comparatively little attention was given to diseases of the eye by anybody. At that time persons with poor sight sought the help of glasses simply to enable them to see better. They tried on glasses to see if they improved the sight, and chose those that seemed to make the sight best. The optician stood by to explain how the eyes should be tried; to warn against getting glasses that would be too strong, and to prepare and adjust such as were finally chosen, as giving the best vision.

"When, however, it was found that serious conditions such as inflammation of the eyes and lids, squint (cross eye), cataract, glaucoma, atrophies of the choroid, or detachment of the retina resulted from errors of refraction; and that such faults of focus produced headache, dizziness, nervous dyspepsia, etc., it was natural that those who studied and treated these ocular diseases and these general diseases, should pay attention to errors of refraction in the eye.

"The patient who comes to the oculist for poor vision may need glasses to correct his fault of focus, or he may be suffering from a condition of the retina due to disease of his kidneys, his arteries or his brain. Headache may arise from eye-strain, or it may arise from disease in the nose, brain disease or fever. Evidently, one who is informed about and able to recognize all of these conditions is a safer and more satisfactory person to consult about poor vision or headache, than one who is only trained to fit glasses. The work of finding out if relief can be given by correcting a fault in the focus of the eye cannot be separated from the work of measuring such faults of focus. Hence the work of measuring the focus of the eye, the decision as to what glasses should be worn, and the judgment as to whether it is worth while to wear them, or how

much of the time it is worth while to wear them, belong to the oculist.

"To reach correct conclusions as to these points various methods of examination are to be used, and different possible causes of poor vision or other symptoms suffered from have to be considered.

"There are many ways by which the refraction of the eye can be measured. Among the more important are:

"1. Looking into the eye with the ophthalmoscope, and noticing with what lens the back of the eye is seen most clearly.

"2. Finding where the light coming out of the eye forms an image of the retina, with or without the aid of glasses; called the shadow-test.

"3. Determining the curves of the front surface of the eye, by the reflections from them, measured by a special instrument called the ophthalmometer.

"4. Testing the acuteness of vision with test letters, and the changes in vision caused by placing different glasses before the eye.

"5. Testing the direction in which parallel lines can be seen most clearly; and finding the nearest point to the eye at which fine print can be seen distinctly.

"Other methods are often used by individual oculists. Certainty is only obtained by using two or more ways of measuring the focus of each eye.

"Often the glass which is nearly right gives no relief. To make sure of the glass that will be exactly right or best for each particular eye is a difficult and tedious undertaking. No one familiar with it will wonder that the effort is sometimes given up, and something that it is hoped "will answer" is prescribed instead. Unfortunately, it often does not answer, and the process of measurement has to be repeated.

"He who thinks it is easy and simple to measure the eyes for glasses knows little about it. One who is comfortable with glasses quickly and easily chosen is unusually lucky, or has not seriously felt the need for such help, has eyes that are insensitive, or is not using them to near the limit of their capacity.

"There are some persons who do not use their eyes very hard or very much of the time for work that taxes them, who are able to get along with imperfect sight, or with glasses that give only imperfect help. But with an increasing number who spend their working days at sewing, stenography, book-keeping, reading, type-setting, and the finer mechanical employments, a larger and larger part of the community needs and appreciates the accurate correc-

tion of every error of ocular focus; and the removal of every condition of health or surroundings that injuriously influences the eyes. Because this is so, the work of the oculist goes on increasing.

THE WORK OF THE OPTICIAN.

"Every perfect lens must be made of glass that is quite transparent, and free from flaws and irregularities in its action on light. It must have perfect curves, exactly adapted to its action on light, and to the eye it is designed to assist; and its surfaces must be perfectly polished. Then, to serve its purpose in assisting the eye to focus light properly, it must be accurately placed before the eye, in a frame that will keep it in the right position. All this is expected of the skilled optician.

"The making of optical glass in large quantities and according to fixed formulas, supplies glass having a practically constant effect on light passing through it. The making of the steel tools with which the surfaces are ground is in the hands of a comparatively few expert mechanics who are able to give very accurate surfaces to them. This accuracy in the preparations made for lens grinding renders unnecessary the frequent calculation of what curve on the tool will be needed to give the desired lens effect with a certain sample of glass, which the early opticians had to be prepared for; and to a large extent the process of lens grinding can be carried on by machinery, attended by comparatively unskilled workers.

"But any piece of glass is liable to flaws, some of which cannot be detected until the lens surfaces have been finished. The tools, however, accurately made to start with, tend to change their shape, and become inaccurate with use. Defective lenses from these causes must be continually guarded against.

"With cylindrical lenses [which have come into general use entirely within the last fifty years, since oculists began to pay attention to defects of ocular focus] it is necessary not only to get a lens of just the right strength; but it must also have its axis turned in the right direction. With the axis turned 90 degrees from the proper direction, the fault of focus would be doubled instead of being corrected. With the axis 45 degrees from the proper direction no benefit, but only harm would result. Even with the axis 5 or 10 degrees from its right direction, a cylindrical lens of the right strength may be of little help; and quite unsatisfactory.

"Prisms employed to help the eyes must also have their bases turned in the right direction or they will be useless or worse than useless. All lenses used before the eyes must have their optical

centers (the thickest point or the thinnest point of the lens) properly placed with reference to the lines of sight of the two eyes. Otherwise they give the effects of unneeded or harmful prisms disturbing the actions of the eye muscles.

"Finally, no two faces are alike. In order that the frames by which the glasses are kept in position before the eye shall retain them in the proper position, these frames must be adapted to the face with care and accuracy. Skill in accurately adjusting the frames so that they will keep the glasses just where they should be kept, and at the proper angle, requires an intelligent grasp of the mechanical principles involved, and a large experience. It is a matter in which opticians differ greatly in expertness; and one that is often neglected by those who regard themselves as able to do the work of both oculist and optician. Often a pair of lenses that has been quite unsatisfactory because not properly placed before the eyes, will become comfortable to wear, and satisfactory in effect, when, by a slight change, the frames have been properly placed.

"Beside the preparation of the proper lenses, and their accurate placing before the eye, there are other important matters in which the knowledge and skill of the optician can render valuable assistance to those who seek his services. The frames should not only hold the lenses in the right position, they should bear on the face so as to cause no discomfort. The annoyance from an uncomfortable frame may quite neutralize the comfort obtained from properly chosen lenses. The cutting down of unnecessary weight by making the glasses as thin as practicable is an evidence of expertness on the part of the optician, which may add much to the comfort of his patrons, particularly if the glasses have to be worn constantly.

TRADE OR PROFESSION.

"A distinction that usually exists between the oculist and the optician is that the one practices a profession, and the other follows a trade. This difference is not rigidly connected with the character of the services they render in the community, but it commonly exists. He who practices a profession sells his time and the effort spent in helping his patient or client for a fee charged for his opinion or advice. He who carries on a trade sells a material object to which his time, effort and skill has given increased value.

"It is the duty of the professional man to give advice solely for the patient's good. In trade, the legal principle *caveat emptor*—'Let the buyer look out for his own interests,' is recognized. In

the long run the most successful tradesman is the one who gives a square deal, and who looks out for the interests of his customers. Still, between a profession and a trade there remains a real difference.

"Most people do not wish to begin wearing glasses unless there is good reason for it, or to wear them more constantly than is necessary. So they naturally prefer the opinion of one who has no glasses for sale, who will give them a purely professional opinion, and who would get the same fee, whether he advises one way or the other, to the advice of one whose only chance of profit depends on selling a pair of glasses.

"Well-meaning persons have thought to obliterate this distinction and to create a profession, chiefly by the passage of 'optometry laws,' and the organization of schools to teach optics. It has been supposed, by those who know little of disease, or the effects of faults of ocular focus on the general health, that such schools, requiring two years of study or less, could teach men to treat diseases of the eye, and to prescribe and fit glasses.

"Very plausible arguments may be made in favor of laws to protect the public from unqualified imposters who pretend to understand something about diseases of the eye, and on the way that glasses may help to keep or regain health. But, unfortunately, many of the optometry laws so far passed have tended to give these imposters protection, and a legal status that aids them to impose on the public; while the tendency to create a profession has been very slight.

"Such attempts are based on the false assumption that the oculist who has spent four years in the study of medicine, and two or more years in the special study of the eye and its diseases, knows more than is necessary to qualify him for his special work. The relations of the teeth to other parts of the body is a comparatively simple matter; the eyes and their body relations are extremely complex. Yet dental schools require a three years' course, during which each student is expected to dissect and study the entire human body.

"Oculists have no desire to discourage the careful study of optics, or the cherishing of professional ideals. But, knowing the real facts of the case, they must protest against a pseudo-profession, that can only confuse and harm the public; and a pretended preparation for service where real preparation is impossible.

"Particularly misleading are the titles Doctor of Optometry, Doctor of Optics, etc., which are claimed by some of these optical imposters. These titles may be obtained from proprietary diploma

mills, without competent faculties, after a six-weeks' or six-months' course, sometimes taken entirely by correspondence. They are used to give the false impression that the user knows something of medicine, and is competent to cure disease. The real Doctor of Medicine studies four or more years after a thorough high school and perhaps a college course. The Doctor of Philosophy or Science has six or more years of college work. A few universities now give diplomas for special study in ophthalmology, after a full course in medicine. But any title of 'doctor' is to be looked on with great suspicion, unless it is known to have come from an established institution that requires four or more years of study after proper preparation. Especially is a title sure to be used for a fraudulent purpose when it is accompanied by a list of diseases for which a cure is promised by glasses, or 'exercises.'

GETTING GLASSES.

"The optician without any knowledge of medicine is often asked to give advice as to whether glasses will relieve symptoms, like headache, or inflammations of the eyes, and what glasses will do it: just as the pharmacist is continually asked what drugs will relieve headache, or inflammations of the eyes or other parts. This is partly because people used to go to the optician for glasses, and they do not know anyone better to go to. The conscientious optician, if he knows of an oculist who is accessible may refer such people to him, stating his readiness to make any glasses that are needed. But if no one competent to prescribe glasses can be reached, the old way of buying such glasses as can be chosen with the optician's help is often tried.

"On the other hand, there are places in which a well-trained oculist is engaged in practice: but in which there is no optician who can do an optician's proper work in a satisfactory manner. Under such circumstances the oculist is compelled, when he prescribes glasses, to furnish them also, and to fit them as well as he can to the patient's face. He cannot fully replace the skilled optician. For grinding of surfaces he must depend on wholesale firms at a distance: and his success in the fitting of frames will often be attained by confining his efforts to one style of frame, such as spectacles, which can be made to conform to certain measurements of the face.

"Wherever it is possible, the community is best served by the trained oculist and the trained optician, working in conjunction, each in his proper sphere. This is the arrangement that is gradually developing. But custom, established before the relation of

the eyes to the general health was known, still has great influence. People who think automobiles a great advance over ox-carts, still think because their grandfathers chose glasses with the help of an optician, that this is the best way to get spectacles. It is only slowly that established custom and tradition give way to improved methods and new ways of thinking; and many will not look ahead to provide for the future health of their eyes, however important this may be to them.

"In trying to find a competent oculist to attend to the eyes the best plan is to enquire of one's family physician, and to be guided by his advice. If you cannot trust his advice in this matter, you are very unfortunate in the selection of such an advisor.

"There is no trouble in finding the quack. He is essentially much the same in the field of eye diseases with his promise of curing all sorts of ailments with glasses, as in the fields of cancer, consumption or kidney disease. But his plan of campaign is somewhat different. Sometimes he is or claims to be a doctor of medicine, seeking to spread the idea that by "study in Europe" or in some large distant city, he has had unusual opportunities to learn things that other doctors do not know. He depends on advertising to spread the impression that he offers the people a rare opportunity to be cured, of curable or incurable diseases, and he travels from place to place.

"In a scattered community a competent oculist may serve the public by having offices in more than one town, where on certain days he can be consulted. But he depends for practice on the reputation established by his work, and the respect he has gained from other doctors and acquaintances, not on newspaper notices and published certificates. The quack oculist cannot wait for such a slow growth of business. He must force his claims on the public as rapidly as possible; and as he becomes known in the community, by his failures and his falsehoods, he must go somewhere else. Comparatively few that have had any education in general medicine and diseases of the eye have gone into this kind of quackery. Much the greater number of the quacks come in the guise of Optometrists, Doctors of Optics, etc.

"The relief of diseases of the eye, and of symptoms of disturbed nerve action, or general impairment of health, by relief from eye-strain is a new field in medicine, and especially attractive to adventurers. Its attractions have been emphasized by those who offer through 'schools of optometry' the little instruction that they claim can bring success in this new field; and by those ready to sell the

would-be optometrist his test-lenses, test-cards, ophthalmoscope, and other apparatus. The optical schools and wholesale dealers interested in exploiting them, have invited all who seek short cuts in business to take a course of one week to one year, buy an outfit costing from fifty dollars up; and become rich by telling the people what kind of glasses they ought to wear and by selling them these glasses at the highest prices their plausible talk can command.

"The culmination of this movement is the traveling optician-oculist, who goes from place to place heralded by newspaper puffs and advertising, impressing the simple with his claims to greatness, supplying glasses at his own price; and moving on to new fields when the community begins to see the hollowness of his pretensions. The quack in his line, as in others, seeks to get money by working on the hopes and fears of his victims, and to get away with it before they turn against him. It may be pointed out that these pretenders commonly know as little about the work of the optician as they do about that of the oculist.

"Health, the highest capacity to achieve and enjoy, is a precious thing. As its value is better understood more effort will be made to attain and preserve it. With reference to the eyes, fewer people will abuse or neglect them; or take chances of their injury by quacks. More will seek expert assistance to find out what is best for their sight, what can be done to strengthen the eyes in any way, or to discover through the eyes, what may be needed to promote the general health.

"The traditional self-choosing of glasses, and the claims of the half-educated pseudo-professional man will be cast aside; and more dependence placed on the advice of the oculist, trained to consider the eye from all points of view, in all its relations; and the skilled optician who does his own work so well that he has neither time nor inclination to offer inferior service in a different field."

The Optometry laws of the different states will now be given.

NEW MEXICO OPTOMETRY LAW

1905.

Be it enacted by the Legislative Assembly of the Territory of New Mexico:

Section 1. The practice of optometry is defined as follods, namely: The employment of subjective and objective mechanical means to determine the accommodative and refractive states of the eye and the scope of its functions in general.

Sec. 2. Same as Arizona Optometry Law numbered Sec. 2.

Sec. 3. There is hereby created a board, whose duty it shall be to carry out the purposes and enforce the provisions of this act, and shall be styled the New Mexico Territory Board of Examiners in Optometry.

Said board shall be appointed by the governor as soon as practicable after the passage of this act, and shall consist of three persons, two engaged in the actual practice of optometry, and one physician oculist, residing in the Territory of New Mexico. Each member of said board shall hold office for a term of three years, and until his successor is appointed. Appointments to fill vacancies caused by death, resignation or removal, shall be made for the residue of such term by the governor. The members of said board, before entering upon their duties, shall respectively take and subscribe to the oath required to be taken by other officers, and filed with the clerk of the county in which said member resides, and said board shall have a common seal.

Secs. 4, 5, 6, 7, 8, 9, 10, same as Secs. 4, 5, 6, 7, 8, 9 and 10 of the Arizona Optometry Law respectively.

Sec. 11 same as Sec. 11 Arizona Optometry Law, excepting the fare per mileage is three cents instead of four cents as in Arizona Optometry Law.

Sec. 12 same as Sec. 12 of Arizona Optometry Law.

Sec. 13 same as Sec. 13 of Arizona Optometry Law, excepting the restriction for habitual drunkenness is six months immediately before a charge to be made, instead of two months as in Arizona.

Secs. 14 and 15, same as Arizona Optometry Law.

Sec. 16. Nothing in this act shall be construed to apply to physicians and surgeons authorized to practice under the laws of the Territory of New Mexico, nor to persons who sell spectacles or eyeglasses in the ordinary course of trade, and do not attempt to employ subjective and objective mechanical means to determine the accommodative and refractive states of the eye.

Sec. 17 Same as Sec. 17 of the Arizona Optometry Law.

NORTH DAKOTA OPTOMETRY LAW

1905.

Sec. 324. *Defined*—The practice of optometry is defined as follows, namely: The employment of subjective and objective mechanical means to determine the accommodative and refractive states of the eye and scope of its functions in general, and the applying of lenses as corrective.

Sec. 325. *Unlawful to Practice Without Certificate*—It shall be unlawful for any person to practice optometry in the State of North Dakota unless he shall first have obtained a certificate of registration.

Sec. 326. *Board Created*—There is hereby created a board, whose duty it shall be to carry out the purpose and enforce the provisions of this article, and shall be styled "North Dakota State Board of Examiners in Optometry." Said board shall be appointed by the governor and shall consist of five resident opticians who are members of the North Dakota Optical Association, engaged in the actual practice of optometry. Each member of said board shall hold office for a term of three years, and until his successor is appointed. Appointments to fill vacancies caused by death, resignation or removal shall be made for the residue of such term by the governor. The members of said board, before entering upon their duties shall respectively take and subscribe to the oath required to be taken by other state officers, and said board shall have a common seal.

Sec. 327. *Governor to Appoint Officers—Meetings*—The governor shall appoint one of the members of said board president, and one member secretary, who severally shall have the power during their term of office to administer oaths and take affidavits, certifying thereto under their hand and the seal of the board. Said board shall meet at least once in each year at a place designated by the board, and in addition thereto whenever and wherever the president and secretary thereof shall call a meeting. A majority of said board shall at all times constitute a quorum. The secretary of said board shall keep a full record of the proceedings of said board, which records shall at all reasonable times be open to public inspection. Such records shall also contain a registry list of all persons registered by said board, together with renewals and revocations of licenses, which record shall constitute the official register of all persons licensed to practice optometry in this state.

Sec. 328. *Examinations*—Every person before beginning to practice optometry in this state shall pass an examination before said board of examiners. Such person shall make written application to said board of examiners and such application shall be accompanied by the affidavit of two freeholders of this state, to the effect that the person is of good moral character and a resident of this state. Such person shall also furnish to the board satisfactory proof that he is a graduate of some school of optometry to be approved by the board, or that he has practiced optometry for two full years as a student practitioner under the supervision of a regular optician or has practiced as a regular optician for two full years outside this state. Such examination shall be confined to such knowledge as is essential to the practice of optometry. Any person having signified to said board his desire to be examined by them shall appear before them at such time and place as they may designate, and before beginning such examination shall pay to said secretary for use of said board the sum of ten dollars and if he shall successfully pass such examination, shall pay to said secretary, for the use of said board, a further sum of five dollars on the issuance to him of a certificate. All persons successfully passing such examination shall be registered in the board register, which shall be kept by said secretary as licensed to practice optometry, and shall receive a certificate of such registration, to be signed by the president and secretary of said board.

Sec. 329. *Fees*—Every person who is residing and engaged in the practice of optometry in the state of North Dakota at the time of the taking effect of this article, shall within six months thereafter file an affidavit in proof thereof with said board, who shall make and keep record of such person, and shall for the consideration of the sum of three dollars, issue to him a certificate of registration.

Sec. 330. *Who Exempt from Provisions of Section 328*—All persons entitled to a certificate of registration under the full provisions of Section 329 shall be exempt from the provisions of Section 328.

Sec. 331. *Fee for Filing Certificate*—Such board shall be entitled to a fee of one dollar for the reissue of any certificate.

Sec. 332. *Penalty*—Any persons entitled to a certificate, as provided for in Section 329, who shall not within six months after the passage

thereof make written application to the board of examiners for certificate of registration, accompanied by a written statement, signed by him, and duly verified before an officer authorized to administer oaths within this state, fully setting forth the grounds upon which he claims such certificate, shall be deemed to have waived his right to a certificate under the provisions of said section. Any failure, neglect or refusal on the part of any person holding such certificate to file the same for record as hereinbefore provided, for six months after the issuance thereof, shall forfeit the same.

Sec. 333. *Certificate to be Displayed*—Every person to whom a certificate of examination or registration is granted shall display the same in a conspicuous part of his office wherein the practice of optometry is conducted.

Sec. 334. *Compensation of Board*—Out of the funds coming into the possession of said board, each member thereof may receive as compensation, the sum of five dollars for each day actually engaged in the duties of his office, and mileage at three cents per mile for all distance necessarily traveled in going to and coming from the meetings of said board. Said expenses shall be paid from the fees and assessments received by the board under the provisions of this article, and no part of the salary or other expenses of the board shall ever be paid out of the state treasury. All moneys received in excess of said per diem allowance and mileage as above provided for, shall be held by the secretary as a special fund for meeting expenses of said board and carrying out the provisions of this article, and he shall give such bonds as the board shall from time to time direct; and the said board shall make an annual report of its proceedings to the governor on the first Monday of December of each year, which report shall contain an account of all moneys received and disbursed by them pursuant to this article. All surplus moneys shall go to the state school fund.

Sec. 335. *Annual License Fee*—Every registered optician shall in every year after 1903 pay to said board of examiners the sum of two dollars as a license fee for each year. Such payment shall be made prior to the first day of April in each and every year, and in case of default in such payment by any person, his certificate may be revoked by the board of examiners upon twenty days' notice of the time and place of considering such revocation. But no license shall be revoked for such non-payment if the person so notified shall pay before or at such time of consideration his fee and such penalty as may be imposed by said board; provided that said board may impose a penalty of five dollars and no more on any person so notified, as a condition of allowing his license to stand; provided further, that said board of examiners may collect any such dues by suit.

Sec. 336. *Certificate Revoked—When*—Said board shall have power and must revoke any certificate of registration granted by it under this article, for conviction of crime, habitual drunkenness, or the excessive use of intoxicating liquors or narcotic drugs for six months immediately before a charge is made, contagious or infectious disease, gross incompetency or for advertising himself as an eye specialist or doctor, or member of this board, or for designating himself in any manner as other than an optician or optometrist, skilled in the art of optometry;

provided that before any certificate shall be so revoked the holder thereof shall have notice in writing from the secretary of the charge or charges against him, and at a day specified in said notice, at least five days after the service thereof, be given a public hearing, and have opportunity to produce testimony in his behalf and to confront the witnesses against him. Any person whose certificate has been so revoked may after the expiration of sixty days apply to have the same regranted, and the same shall be regranted him upon a satisfactory showing that the disqualification has ceased.

Sec. 337. *Penalty*—Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor, and upon conviction may be fined not less than twenty dollars nor more than one hundred dollars, or be confined not less than one month nor more than three months in the county jail. And all fines thus received shall be paid into the common school fund of the county in which such conviction takes place.

Sec. 338. *Justice of Peace to Have Jurisdiction*—Justices of the Peace shall have jurisdiction of violations of this article. It shall be the duty of the respective state's attorneys to prosecute all violations of this article.

Sec. 339. *Who Exempt*—Nothing in this article shall be construed so as to require physicians and surgeons authorized to practice under the laws of the state of North Dakota to be registered under the provisions of this article, but such persons shall be deemed to be regular licensed to practice optometry by virtue of their license to practice medicine and surgery; nor to apply to persons who sell spectacles or eyeglasses or any other article of merchandise without attempting to practice optometry as in this article defined, nor to student practitioners under the supervision of registered opticians.

ARIZONA OPTOMETRY LAW.

1907.

Be it enacted by the Legislative Assembly of the Territory of Arizona:

Section 1. The practice of optometry is defined as follows, namely: The employment of subjective and objective means to determine the accommodative and refractive states of the eye and the scope of its functions in general.

Sec. 2. It shall be unlawful for any person to practice optometry in the Territory of Arizona unless he or she shall first have obtained a certificate of registration and filed the same, or a certified copy thereof, with the clerk of the county of his or her residence all as hereinafter provided.

Sec. 3. There is hereby created a board, whose duty it shall be to carry out the purposes and enforce the provisions of this act, and shall be styled the Arizona Territory Board of Examiners in Optometry. Said board shall be appointed by the governor as soon as practicable after the passage of this act, and shall consist of three persons engaged in the actual practice of optometry, and residing in the Territory of Arizona. Each member of said board shall hold office for a term of four years, and until his successor is appointed. Appointments to fill vacancies caused by death, resignation or removal, shall be made for the residue of such term by the governor. The members of said board,

before entering upon their duties, shall respectively take and subscribe to the oath required to be taken by other officers, and filed with the clerk of the county in which said member resides, and said board shall have a common seal.

Sec. 4. Said board shall choose at its first regular meeting, and annually thereafter, one of its members president, and one secretary thereof, who severally shall have the power during their term of office to administer oaths and take affidavits, certifying thereto under their hand and the seal of the board. Said board shall meet at least once in each year at the territorial capitol, and in addition thereto, whenever and wherever the president and secretary thereof shall call a meeting; a majority of said board shall at all times constitute a quorum. The secretary of said board shall keep a full record of the proceedings of said board, which records shall at all reasonable times be open to public inspection.

Sec. 5. Every person before beginning to practice optometry in this territory, after the passage of this act, shall pass an examination before said board of examiners. Such examiners shall be confined to such knowledge as is essential to the practice of optometry. Any person having signified to said board his or her desire to be examined by them shall appear before them at such time and place as the board may designate, and before beginning such examination shall pay to the secretary of said board, for the use of said board, the sum of ten dollars, and if he or she shall successfully pass such examination, shall pay to said secretary, for the use of said board, a further sum of five dollars on the issuance to him or her of a certificate. All persons successfully passing such examination shall be registered in the board register, which shall be kept by said secretary, as licensed to practice optometry, and shall also receive a certificate of such registration, to be signed by the president and secretary of said board, which shall be filed as hereinbefore provided.

Sec. . Every person who is actually engaged in the practice of optometry in the Territory of Arizona, at the time of the passage of this act, shall, within six months thereafter, file an affidavit in proof thereof with said board, who shall make and keep record of such person, and shall, in the consideration of the sum of five dollars, issue to him a certificate of registration.

Sec. 7. All persons entitled to a certificate of registration under the full provisions of Section 6 shall be exempt from the provisions of Section 5 of this act.

Sec. 8. Recipients of said certificate of registration shall present the same for record to the clerk of the county in which they reside, and shall pay a fee of fifty cents to the clerk for recording same. Said clerk shall record said certificate in a book to be provided by him for that purpose. Any person so licensed removing his or her residence from one county to another in this territory shall, before engaging in the practice of optometry in such other county, obtain from the clerk of the county in which said certificate of registration is recorded, a certified copy of such record, or else obtain a new certificate of registration from the board of examiners, and shall, before commencing to practice in such county, file the same for record with the clerk of the county to

which he removes, and pay the clerk thereof for recording same, a fee of fifty cents. Any failure, neglect or refusal on the part of the person holding such certificate or copy of record to file the same for record, as hereinbefore provided, for six months after the issuance thereof, shall forfeit the same. Such board shall be entitled to a fee of one dollar for the reissue of any certificate, and the clerk of any county shall be entitled to a fee of one dollar for making and certifying a copy of the record of any such certificate.

Sec. 9. Any person entitled to a certificate, as provided for in Section 6 of this act, who shall not within six months after the passage of this act make written application to the board of examiners for a certificate of registration, accompanied by a written statement, signed by him, and duly verified before an officer authorized to administer oaths within this territory, fully setting forth the grounds upon which he claims such certificate, shall be deemed to have waived his or her rights to a certificate, under the provisions or refusal on the part of any person holding such certificate under the provisions of such section. Any failure, neglect or refusal on the part of any person holding such certificate to file the same for record, as hereinbefore provided, for six months after the issuance thereof, shall forfeit the same.

Sec. 10. Every person to whom a certificate of examination or registration is granted shall display the same in a conspicuous part of his or her office wherein the practice of optometry is conducted.

Sec. 11. Out of the funds coming into the possession of said board, each member thereof may receive, as compensation, the sum of five dollars for each day actually engaged in the duties of his office, and mileage at four cents per mile for all distance necessarily traveled in going to and from the meetings of the board. Said expenses shall be paid from the fees and assessments received by the board under the provisions of this act, and no part of the salary or other expenses of the board shall ever be paid out of the territorial treasury. All moneys received in excess of said per diem allowance and mileage, as above provided for, shall be held by the secretary as a special fund for meeting expenses of said board and carrying out the provisions of this act, and he shall give such bond as the board shall from time to time direct, and the said board shall make an annual report of its proceedings to the governor on the first Monday in January of each year, which report shall contain an account of all moneys received and disbursed by them pursuant to this act.

Sec. 12. Every registered optometrist who desires to continue the practice of optometry in this territory shall annually, on such date as the board of examiners may determine, pay to the secretary of said board a registration fee to be fixed by the board, but which shall in no case exceed the sum of two dollars per annum, for which he or she will receive a renewal of said registration; and in default of such payment, by any person, his or her certificate may be revoked by the board of examiners under twenty days' notice of the time and place of considering such revocation, but no certificate shall be revoked for such non-payment if the person so notified shall pay before or at such time of consideration his or her fee and such penalty as may be imposed by said board; provided, that said board may impose a penalty of five dol-

lars and no more on any one person so notified, as a condition of allowing such certificate to stand; provided, further, that said board of examiners may collect any such fees by suit.

Sec. 13. Said board shall have power to revoke any certificate of registration granted by it under this act, for conviction of crime, habitual drunkenness for two months immediately before a charge to be made, gross incompetency, or contagious or infectious disease; provided, that before any certificate shall be so revoked, the holder thereof shall have notice in writing of the charges specified, and a day set and named in said notice, at least five days after the service thereof, be given a public hearing, and have opportunity to produce testimony in his or her behalf and to confront opposing witnesses. Any person whose certificate has been so revoked may, after the expiration of ninety days, apply to have the same regranted; and the same shall be regranted, upon a satisfactory showing that the disqualification has ceased.

Sec. 14. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty dollars nor more than one hundred dollars, or be confined not less than one month, or more than three months in the county jail, and in default of payment of said fine shall be imprisoned in the county jail at the rate of one day for every two dollars of the fine so imposed, and all fines thus received shall be paid into the common school fund of the county in which such conviction takes place.

Sec. 15. Justices of the Peace and the respective municipal courts shall have jurisdiction of violations of this act. It shall be the duty of the respective district attorneys to prosecute all violations of this act.

Sec. 16. Nothing in this act shall be construed to apply to physicians and surgeons authorized to practice under the laws of the Territory of Arizona.

Sec. 17. This act shall take effect and be in force from and after its passage.

IDAHO OPTOMETRY LAW.

1907.

Idaho Optometry Law is similar to the Florida Optometry Law. In Idaho the board, whose duty it is to carry out and enforce the provisions of this act, is composed of three opticians instead of five, as in Florida.

MONTANA OPTOMETRY LAW.

1907.

Be it enacted by the Legislative Assembly of the State of Montana: Sections 1 and 2 similar to Arizona Optometry Law.

Sec. 3. There is hereby created a board whose duty it shall be to carry out the purposes and enforce the provisions of this act, and shall be styled the "Montana State Board of Examiners in Optometry." Said board shall be appointed by the governor as soon as practicable after the passage of this act, and shall consist of five resident opticians engaged in the actual practice of optometry. Each member of said board shall hold office for a term of three years, and until his successor is appointed. Appointments to fill vacancies, caused by death, resignation or removal, shall be made for the residue of such term by the governor.

The members of said board, before entering upon their duties, shall respectively take and subscribe to the oath required to be taken by other state officers, which shall be administered by the secretary of state and filed in his office; and said board shall have a common seal.

Sec. 4. Said board shall choose at its first regular meeting, and annually thereafter, one of its members president and one secretary thereof, who severally shall have the power during their term of office to administer oaths and take affidavits, certifying thereto under their hand and the seal of the board. Said board shall meet at least once in each year, at the state capitol, and in addition thereto, whenever and wherever the president and secretary thereof shall call a meeting; a majority of said board shall at all times constitute a quorum. The secretary of said board shall keep a full record of the proceedings of said board, which records shall at all reasonable times be open to public inspection.

Sec. 5 similar to Arizona Optometry Law.

Sec. 6. Every person who is engaged in the practice of optometry in the State of Montana at the time of the passage of this act shall, within three months thereafter, file an affidavit in proof thereof with said board, who shall make and keep record of such persons, and shall in the consideration of the sum of five dollars, issue to him a certificate of registration.

Secs. 7, 8, 9 and 10 similar to Arizona Optometry Law.

Sec. 11. Out of the funds coming into the possession of said board, each member thereof may receive as compensation the sum of five and no/100 (\$5.00) dollars for each day actually engaged in the duties of his office, and mileage at three cents per mile for all distance necessarily traveled in going to and coming from the meetings of said board. Said expenses shall be paid from the fees and assessments received by the board under the provisions of this act, and no part of the salary or other expenses of the board shall ever be paid out of the state treasury. All moneys received in excess of said per diem allowance and mileage, as above provided for, shall be held by the secretary as a special fund for meeting expenses of said board, and carrying out the provisions of this act, and he shall give such bonds as the board shall from time to time direct, and the said board shall make an annual report of its proceedings to the governor on the first Monday in January of each year, which report shall contain an account of all moneys received and disbursed by them pursuant to this act.

Sec. 12. Said board shall have the power to revoke any certificate of registration granted by it under this act for conviction of crime, habitual drunkenness for six months immediately before a charge to be made, gross incompetence, or contagious or infectious disease, or who publicly professes to cure disease; provided, that before any certificate shall be so revoked, the holder thereof shall have notice in writing of the charge or charges against him, and at a day specified in said notice, at least five days after the service thereof, be given hearing, and have opportunity to produce testimony in his behalf and to confront the witnesses against him. Any person whose certificate has been revoked may, after the expiration of ninety days, apply to have the same re-

granted, and the same shall be granted him, upon a satisfactory showing that the disqualification has ceased.

Sec. 13. Any person who shall violate any of the provisions of this act shall be decreed guilty of a misdemeanor, and upon conviction may be fined not less than twenty and no/100 (\$20.00) dollars, nor more than one hundred and no/100 (\$100.00) dollars, or to be confined not less than one month, nor more than three months in the county jail. And all fines thus received shall be paid into the common school fund of the county in which such conviction takes place.

Secs. 14, 15 and 16 same as Arizona Optometry Law—Sections 15, 16 and 17.

UTAH OPTOMETRY LAW. 1907.

Be it enacted by the Legislature of the State of Utah:

Section 1. It shall be unlawful for any person in the State of Utah to practice or attempt to practice optometry as hereinafter defined; or to advertise, or hold himself out as qualified to fit or adjust any lenses or lens in any manner or form as an aid or assistance to human eyesight, without first obtaining a certificate to practice optometry, as hereinafter provided.

Sec. 2. The practice of optometry is the use of any means, artificial or otherwise, except the administration or application of drugs, for ascertaining the refractive and optical condition of the human eye for the purpose of adjusting and fitting lenses thereto, or the fitting or adjusting of lenses thereto.

Sec. 3. There is hereby created a board, consisting of three persons, which shall be styled the Utah State Board of Examiners in Optometry, whose duty it shall be to carry out the purposes and enforce the provisions of this act. Said board shall be appointed by the governor for a term of two years, by and with the consent of the senate. Each member of the board shall be a resident of the State of Utah, and shall have been engaged in the actual practice of optometry in the state for at least five years prior to his appointment. All appointments to fill vacancies caused by death, resignation, or removal, shall be made by the governor. The members of said board, before entering upon their duties, shall respectively take and subscribe to the oath required to be taken by state officers, which shall be administered by the secretary of state, and filed in his office.

Sec. 4. Said board shall choose at its first meeting, and annually thereafter, one of its members as president, and one as secretary and treasurer thereof. Each member of the board shall have the power, during his term of office, to administer oaths and take affidavits, certifying thereto under its hand and the seal provided and kept by the board. Said board shall meet at least once in each year at the state capitol, for the purpose of holding an examination, and in addition thereto whenever and wherever the president or secretary, by order of the president, shall call a meeting. A majority of said board shall constitute a quorum. The secretary shall keep a complete record of the proceedings of the board, which record shall be open to public inspection at all reasonable times.

Sec. 5. Certificates authorizing the practice of optometry shall be

issued, after the passage of this act, only to persons who have reached the age of twenty-one years, are of good moral character, have a preliminary education equivalent to two or more years in a public high school, and also have studied at least three years in the office of a registered optometrist, or have been actually engaged in refraction for three years, or have actually attended and graduated from a recognized school of optometry, and upon a critical examination are found to possess the requisite scholarship in optometry. Upon the presentation of satisfactory evidence, verified by oath, of such qualification, such person may make application for examination for a certificate authorizing him to practice optometry. The application shall be in writing, directed to the secretary of said board of examiners, requesting to be examined in optometry. The application must be filed with the secretary not less than fifteen days before the time of examination, and be accompanied by the sum of twenty dollars for the use and benefit of said board. If the applicant shall successfully pass such examination, he shall have issued to him a certificate signed by the president and secretary of said board, authorizing him to practice optometry in the State of Utah, upon a further payment of five dollars to said secretary, for the use of said board, and he shall receive therewith a certified copy of said certificate. Additional certified copies of said certificate, while it may remain in force, shall be furnished by the board for a fee of fifty cents for each additional copy. All persons successfully passing such examination shall be registered in the board register, which shall be kept by said secretary, as licensed to practice optometry. Provided, that nothing in this act shall be so construed as to permit or authorize any person or persons, other than the individual holding a certificate, to practice thereunder or by its authority, or under the guise of practicing under the direction of the legal holder thereof.

Sec. 6. Recipients of certificates issued under Section 5 of this act, and all other persons holding certificates entitling them to practice optometry at the time of the passage of this act, shall file a certified copy thereof for record with the county recorder of the county in which they desire to practice, and any person traveling from one county to another in this state shall, before engaging in the practice of optometry in such other county, file a certified copy of said certificate for record with the county recorder of said county to which he removes and pay the recorder thereof, for the recording of the same in a book to be kept for that purpose. Provided, that any failure, neglect or refusal on the part of any person holding a certificate to practice optometry to present the first certified copy thereof which is required to be recorded, for recording with the county recorder, as hereinbefore provided, for one month after the issuance of his certificate, shall forfeit the certificate, and the board shall be entitled to a fee of one dollar for issuing a certificate in lieu of the one forfeited.

Sec. 7. Every person holding a certificate to practice optometry in the State of Utah shall display the said certificate, in its entirety, in a conspicuous place in his office, wherein the practice of optometry is conducted. He shall, also, deliver to each customer or person fitted with glasses by him in case the work is not done in his permanent office,

a receipt which shall contain his signature, the number of her certificate and his home postoffice address.

Sec. 8. The board shall have power to revoke any certificate to practice optometry granted by it under the provisions of this act whenever it shall appear that the holder thereof has been wilfully guilty of fraud or deceit, either in procuring the same or in his practice, or by advertising optical business or treatment, or giving advice in which untruthful or misleading statements are made, or when it is made to appear to the board that such person is incompetent, or is not of good moral character, or is afflicted with an infectious or contagious disease. Provided, that before any certificate shall be revoked, the holder thereof shall have written notice of the charge or charges against him, and a day specified in said notice, which shall be at least ten days if served in the county where the hearing is to be held, after the service thereof; otherwise twenty days after service; that he be given a public hearing, and have an opportunity to produce testimony in his behalf, and confront the witnesses against him. Provided, further, that upon the revocation of any certificate the holder thereof may appeal said matter to the district court of the county in which the practitioner resides, in the manner as is now or may hereafter be provided for appeals from justices' courts, and such laws are hereby made applicable. The secretary of said board shall send the files and a copy of the minutes in the matter before the board to the clerk of the district court of the county in which the appeal is taken, and such minutes and files shall constitute the records on appeal. The witnesses at all hearings before the board shall testify under oath, and for that purpose may be sworn by any member of the board. The board shall have power to compel the attendance of witnesses, and the production of documents at any such hearings. Any person, whose certificate has been revoked, may have the same regranted, upon satisfactory proof that the disqualification has ceased, or his disability removed.

Sec. 9. Every registered optometrist who desires to continue the practice of optometry in this state, shall, annually, on or before the first day of April, pay to the secretary of said board the sum of two dollars for such year, for which he shall receive a receipt, which shall permit him to practice optometry in all those counties of this state in which a certified copy of his said certificate is on file or of record in accordance with law, unless his said certificate be revoked under the provisions of law. Should any person or persons default in the payment of any such annual fees, his certificate may be revoked by said board upon twenty days' notice of the time and place of considering such revocation. But no license shall be revoked for such non-payment, if the person so notified shall pay, before or at the time set for such consideration, his fee and such penalty as may be imposed by said board. Provided, that said board may impose a penalty of five dollars and no more on any one person so notified, as a condition of allowing his license to stand.

Sec. 10. Each member of the board may receive as compensation, out of the funds coming into their possession, the sum of five dollars for each day actually engaged in the duties of his office, and mileage at the rate of three cents per mile for all distances necessary traveled

in going to and returning from meetings of the board. Said expenses shall be paid from the fees, fines and assessments received by the board under the provisions of this act, upon claim approved by the state board of examiners and the state auditor, and upon the warrant of the state auditor, and the state shall not be liable for any of the fees, salaries or expenses of said board, in excess of the amount received from this source. All moneys received under the provisions of this act shall be paid into the state treasury the last day of each month, and placed to the credit of the state optometry fund, and are hereby constituted a state optometry fund, which money shall be used for meeting expenses of said board and carrying out the provisions of this act, and the treasurer of said board shall give a surety bond to the State of Utah, the amount of which shall be fixed by the board, and shall be in a sum not less than twice the amount held by said treasurer at any time during the year next preceding the time of fixing such bond, the cost thereof to be paid out of the funds held by the board.

Sec. 11. On or before the first day of January preceding each biennial session of the legislature, this said board shall make a report of its proceedings to the governor, which report shall contain an account of all moneys received and disbursed by it pursuant to this act.

Sec. 12. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor.

Sec. 13. Nothing in this act shall be construed to apply to persons licensed to practice medicine or surgery in this state, nor to persons who sell spectacles, eyeglasses or lenses, either on prescription from oculists or from duly qualified and licensed optometrists, or as merchandise from permanently located and established places of business, but who neither practice nor profess to practice optometry, or who neither advertise nor hold themselves out as qualified to fit or adjust any lenses or lens as an aid or assistance to human eyesight.

Sec. 14. Sections 1686x, 1686x1, 1686x2, 1686x3, 1686x4, 1686x5, 1686x6, 1686x7, 1686x8, 1686x9, 1686x10, 1686x11 and 1686x12. Compiled Laws of Utah, 1907, are hereby repealed.

Approved March 19, 1915.

NEBRASKA OPTOMETRY LAW.

1907.

Chapter 55, Article XI.

Section 1. *Definition; Application of Article.*—The practice of optometry is defined to be the employment of any means, other than the use of drugs, for the measurement of the powers of vision, and the adaptation of lenses for the aid thereof. The provisions of this article shall not be construed to apply to permanently located physicians duly licensed to practice medicine under the laws of this state nor to persons who sell spectacles or eyeglasses on prescription from any duly qualified optometrist or physician, nor to permanently located dealers in spectacles or eyeglasses who neither practice nor profess to practice optometry.

Sec. 2. *The State Board of Examiners*—The governor is hereby authorized and directed on or before July first, 1907, to appoint a board of examiners in optometry. Such board shall consist of three persons, who shall have been residents of the state actually engaged in the prac-

tice of optometry for at least five years. For the purpose of such appointment, the Nebraska State Optical Society shall furnish to the governor the names of twice the number of examiners to be appointed, and thereafter similarly for each vacancy or new appointment, and the governor may select said board from the names so furnished. The term of each member of said board shall be three years and until his successor is appointed, and vacancies shall be filled for the unexpired term only, but in the original appointment of the members one shall be appointed for the term of one year, one for two years, and one for three years from July 1st, 1907. No member of any optical school or college, or instructor in optometry, or connected in any way therewith, shall be eligible to an appointment upon the state board of optometry.

Sec. 3. *Powers of Board.* Said board of examiners shall make such rules and regulations not inconsistent with the law as may be necessary to the proper performance of its duties, and each member thereof may administer oaths or take testimony concerning any matter within the jurisdiction of the board. It shall organize by selecting one of its members as president, one as secretary and treasurer, and shall meet at least twice a year, and at such other times as it may deem necessary, and at such place or places as it may select. A majority of the board present shall constitute a quorum, and its meetings shall at all times be open to the public.

Sec. 4. *Examinations; Certificates for Practitioners.* Every person desiring to commence or continue the practice of optometry after January 1st, 1908, except as hereinafter provided, shall take an examination before said board of examiners, to determine his qualifications therefor. Every candidate successfully passing such examination shall be registered by said board of examiners, as possessing the qualifications required by this article, and shall receive from said board a certificate therefor; but any person who shall have been continuously engaged in the practice of optometry for more than two years next prior to the passage of this article shall be entitled, upon submitting satisfactory proof thereof to said board to receive from said board a certificate of exemption from such examination. Every person entitled to a certificate of exemption as herein provided must make application therefor and present the evidence to entitle him thereto on or before January 1st, 1908, or he shall be deemed to have waived his right to such certificate. Any certificate issued by said board of examiners may be revoked by the board for just cause, after a hearing upon due notice to the holder thereof.

Sec. 5. *License Fees.* Every registered optometrist shall in every year after 1907, pay to said board of examiners the sum of one dollar as a licensee fee for such year; such payment shall be made prior to the first day of April in each and every year and in case of default of payment of such fee by any person, his certificate may be revoked by the board of examiners.

Sec. 6. *Certificate to be Recorded and Displayed.* Every person to whom a certificate of either registration or exemption shall be issued shall immediately cause the same to be recorded in the clerk's office in the county of his residence and principal office wherein he practices optometry. Every person practicing optometry must also display his

certificate of registration or exemption in a conspicuous place in the principal office wherein he practices optometry, and whenever required exhibit such certificate to said board of examiners or its representatives. And whenever practicing said profession of optometry outside of, or away from said principal office or place of business, he shall deliver to each customer or person so fitted with glasses a bill of purchase, which shall contain his signature, home and postoffice address, and the number of his certificate of registration, or exemption.

Sec. 7. *Fees.* The fees for such examination shall be \$15.00, for a certificate of registration \$10.00, for a certificate of exemption \$5.00, and for yearly license \$1.00; same to constitute a fund for the expenses made necessary by this act. From the fees so paid the board shall cause to be paid all necessary expenses incurred in the administration of this act, including the reasonable compensation of the examiners for their services and their necessary expenses; said fees of each examiner not to exceed \$5.00 per day for each day engaged in the duties of his office, with actual expenses incurred by him in the discharge of such duties, and no salary or other fees whatsoever shall be paid any member thereof, and it is further provided, that the fees herein specified shall be paid out of the fund received by the board under provisions of this act, and from no other fund or source, and all moneys in excess of actual requirements as herein specified shall be paid annually into the state treasury. The fee to be paid to the county clerk for recording a certificate shall be fifty cents.

Sec. 8. *Violation of Article.* Any violations of the provisions of this act shall be a misdemeanor. No person not a holder of a certificate of registration or exemption duly issued to him and recorded as above provided shall, after January 1st, 1908, practice optometry within this state. The practice of, or offering to practice optometry, or the public or private representation of being qualified to practice the same by any person not authorized to practice optometry shall be sufficient evidence of a violation of this act. Any person who shall violate any of the provisions thereof shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed one hundred dollars (\$100.00) or imprisonment in the county jail not to exceed thirty days or by both such fine and imprisonment.

WEST VIRGINIA OPTOMETRY LAW.

1909.

House Bill 38. Chapter 73 of Acts of 1909.

Section 1. The practice of optometry is defined to be the employment of any means other than the use of drugs, medicines or surgery for the measurement of the powers of vision, the employment of tests or examination for the determination of the natural and functional deficiencies of the eye and the adaptation of lenses for the aid thereof.

Sec. 2. The governor shall appoint within ninety days after the passage of the act a board of examiners in optometry. Such board of examiners shall consist of five optometrists, who shall possess sufficient knowledge of theoretical and practical optics to practice optometry, and who shall have been residents of this state actually engaged in the practice of optometry for at least three years. The term of each member of the board shall be for three years, or until his successor is

appointed, and vacancies shall be filled for the unexpired term only, but in the original appointment of the members of the board two shall be appointed for a term of one year, two for two years and one for three years from July 8, 1909. Said board of examiners shall make such rules and regulations not inconsistent with the laws as may be necessary for the proper performance of its duties; such members shall receive \$5.00 per diem and traveling expenses to and from the place of meeting, to be paid out of the state treasury. Any member of the board may, upon being duly designated by the board, or the majority thereof, administer oaths or take testimony concerning any matter within the jurisdiction of the board.

Sec. 3. Every person desiring to commence or to continue the practice of optometry later than six months after the passage of this act, except as hereinafter provided, upon presentation of satisfactory evidence verified by oath, that he is more than 21 years of age, and of good moral character, shall be examined by said board to determine his or her qualifications. Such proof shall consist of three members of the West Virginia State Optical Society. And such examination shall be confined to such as Gross' anatomy of the eyes, and the use of the ophthalmoscope, retinoscope, ophthalmometer and the use of trial lenses, the general laws of optics and refraction as is essential to the practice of optometry. Every candidate successfully passing such examination shall be registered by said board as possessing the qualifications required by this act and shall receive from said board a certificate thereof; but any person who shall submit to said board of examiners satisfactory proof as to his character, competency and qualifications, and that he has been continuously in the practice of optometry for more than two years prior to the passage of this article, may upon the recommendation of said board of examiners receive a certificate of exemption from such examination, which certificate shall be registered and entitle him to practice optometry under this article. Any one claiming to be qualified to examine eyes for the adjustment of glasses shall be deemed as practicing optometry. Every person entitled to a certificate of exemption as herein provided must make application therefor and present the evidence to entitle him thereto on or before the expiration of six months after the passage of this act or he shall be deemed to have waived his right to such certificate. Before any certificate is issued it shall be numbered and recorded in a book kept by the secretary of the said board of examiners and its number shall be noted upon the certificate. A photograph of the person registered shall be filed with the record and a duplicate thereof affixed to the certificate. In all legal proceedings the record and photograph so kept by the board of examiners or certified copies thereof shall be prima facie evidence of the facts stated herein.

Sec. 4. Every person to whom a certificate of either registration or exemption shall be issued shall immediately cause the same to be recorded in the clerk's office of the county of his residence, and also in the clerk's office of each other county wherein he shall then practice or thereafter commence to practice optometry; every person practicing optometry must also display his certificate of registration or exemption in a conspicuous place in the principal office wherein he practices

optometry and whenever required exhibit such certificate to said board of examiners or its authorized representatives. And whenever practicing said profession of optometry outside of or away from said office or place of business he shall deliver to each customer or person so fitted with glasses a bill of purchase which shall contain his signature, home office address and the number of his certificate of registration or exemption, together with a specification of the lenses furnished.

Sec. 5. The fee for such examination shall be \$15.00, for certificate of registration \$10.00, and for certificate of exemption \$5.00. Such fees shall be paid into the state treasury and the legislature shall appropriate therefrom an amount sufficient to pay all proper expenses incurred pursuant to this act. The fee to be paid to county clerk for recording a certificate shall be 50 cents.

Sec. 6. Said board shall have the power to revoke any certificate granted by it under this act for conviction of crime, habitual drunkenness, fraud or deceit in his practice or grossly incompetent to practice. Provided, however, that before any certificate shall be revoked the holder thereof shall have written notice of the charge or charges against him, and the day specified in said notice at least five days after the service thereof at which a public hearing is to be given where the accused shall have an opportunity to produce testimony in his behalf and to confront the witnesses against him. Three of the members of the board shall be a quorum to such hearing.

Sec. 7. No person not a holder of a certificate of registration or exemption duly issued to him and recorded as herein provided shall six months after the passage of this act practice optometry, within this state. No person shall falsely impersonate a registered optometrist of a like or different name, nor buy, sell or fraudulently obtain a certificate of registration or exemption issued to another practicing optometrist. Offering to practice optometry, or the public representation of being qualified to practice the same by any person not authorized to practice optometry, shall be deemed sufficient violation of this act and shall for each offense be fined not less than \$25.00 nor more than \$100.00 or imprisoned not more than three months, or both.

Sec. 8. Nothing in this act shall be construed to apply to physicians and surgeons authorized to practice under the laws of West Virginia or to prohibit any established merchant or jeweler from keeping and offering for sale spectacles or eyeglasses to any person or persons wishing to purchase the same.

DELAWARE OPTOMETRY LAW.

1909.

Be It Enacted by the Senate and House of Representatives of the State of Delaware in General Assembly Met:

Section 1. The practice of optometry is hereby defined to be the employment of any means, other than the use of drugs, or surgery, for the measurement of the powers of vision and the adaptation of lenses for the aid thereof.

Sec. 2. It shall be unlawful for any person to practice optometry in the state of Delaware unless he shall first have obtained a certificate of registration and filed the same, or a certified copy thereof, with the

clerk of the peace of the said county of his residence, all as herein-after provided.

Sec. 3. There is hereby created a board, whose duty it shall be to carry out the purposes and enforce the provisions of this act, and shall be styled the Delaware State Board of Examiners in Optometry. Said board shall be appointed by the governor as soon as practicable after the passage of this act, and shall consist of three persons engaged in the actual practice of optometry, and residing of the state of Delaware, one from each county. Each member of said board shall hold office for a term of two years, and until his successor is appointed. Appointments to fill vacancies caused by death, resignation or removal shall be made for the residue of such term by the governor. The members of said board, before entering upon their duties, shall respectfully take and subscribe to an oath to exercise the duties of their office with fidelity, which said oath shall be filed with the clerk of the peace of the county in which said member resides. And said board shall have a common seal.

Sec. 4. Said board shall choose at its first regular meeting, and annually thereafter, one of its members president, and one secretary and treasurer thereof, who severally shall have the power during their term of office to administer oaths and take affidavits, certifying thereto under their hand and seal of the board. Said board shall meet at least once in each year at the city of Wilmington, and in addition thereto, whenever and wherever the president and secretary thereof shall call a meeting; a majority of said board shall at all times constitute a quorum. The secretary of said board shall keep a full record of the proceedings of said board, which records shall at all reasonable times be open to public inspection.

Sec. 5. "Every person before beginning to practice optometry in this state, after the passage of this act, must be twenty-one years of age, of good moral character, have a good common school education, and have graduated from a school of optometry maintaining a standard satisfactory to said board of optometry, and shall take an examination before said board of examiners to determine his qualifications." Such examination shall be confined to such knowledge as is most essential to the practice of optometry. Any person having signified to said board his desire to be examined by them shall appear before them at such time and place as they may designate, and before beginning such examination shall pay to the secretary of said board, for the use of said board, the sum of ten dollars. All persons successfully passing such examination shall be registered in the board register, which shall be kept by said secretary, as licensed to practice optometry, and shall also receive a certificate of such registration, to be signed by the president and secretary of said board, which shall be filed as hereinbefore provided. If an applicant be rejected, he shall be entitled to be admitted to another examination occurring not less than three months thereafter without further payment, but for all subsequent examinations, which shall not occur at intervals of less than three months, he shall pay an examination fee of five dollars.

Sec. 6. Every person who is actually engaged in the practice of optometry in the state of Delaware, at the time of the passage of this

act, shall, within six months thereafter, file an affidavit in proof thereof with said board and pay to it the sum of one dollar as a registration fee, and shall pay a license to the state of ten dollars. The said board shall make and keep a record of such person and shall issue to him a certificate of registration.

Sec. 7. All persons entitled to a certificate of registration under the provisions of Sec. 6, who have had an office open in this state for six months prior to the passage of this act, shall be exempt from the provisions of Sec. 5 of this act.

Sec. 8. Upon presentation to him of a proper certificate from said Delaware State Board of Examiners in Optometry and the payment to him of the sum of ten dollars for the use of the state and fifty cents for issuing the same, the clerk of the peace of the county wherein said applicant resides shall issue a license signed by the governor and countersigned by the secretary of state and sealed with the seal of his office, certifying that such person is authorized to practice optometry. Said license shall be effective for one year from the date thereof, after which a new license may be issued upon the same terms and conditions hereinbefore provided.

Sec. 9. Any person entitled to a certificate, as provided for in Sec. 6 of this act, who shall not within six months after the passage thereof make written application to the board of examiners for certificate of registration, accompanied by a written statement, signed by him and duly verified before an officer authorized to administer oaths within this state, fully setting forth the grounds upon which he claims such certificate, shall be deemed to have waived his right to a certificate under the provisions of such section. Any failure, neglect or refusal on the part of any person holding such certificate to file the same for record, as hereinbefore provided, for six months after the issuance thereof, shall forfeit the same.

Sec. 10. Every person to whom a certificate of examination or registration is granted shall display the same in a conspicuous part of his office wherein the practice of optometry is conducted; and the word "Optometrist" shall appear on his sign, together with his name.

Sec. 11. Out of the funds coming into the possession of said board each member thereof may receive as compensation the sum of five dollars for each day actually engaged in the duties of his office, and mileage at three cents per mile for all distance necessarily traveled in going to and coming from the meetings of the board. Said expenses shall be paid from the fees and assessments received by the board under the provisions of this act, and no part of the salary or other expenses of the board shall ever be paid out of the state treasury. All moneys received in excess of said per diem allowance and mileage, as above provided for, shall be held by the secretary and treasurer as a special fund for meeting expenses of said board and carrying out the provisions of this act, and he shall give such bonds as the board shall from time to time direct, and the said board shall make an annual report of its proceedings to the governor on the first Monday in January of each year, which report shall contain an account of all moneys received and disbursed by them pursuant to this act.

Sec. 12. Every registered optometrist who desires to continue the

practice of optometry in this state shall annually on such date as the board of optometry may determine, pay to the secretary of the said board a registration fee to be fixed by the board, but which shall in no case exceed the sum of two dollars per annum, for which he shall receive a renewal of said registration; and in case of default in such payment, by any person, his certificate may be revoked by the board of examiners upon twenty days' notice to the said person of the time and place of considering such revocation. But no certificate shall be revoked for such non-payment if the person so notified shall pay said fee before or at such time of consideration and such penalty as may be imposed by said board, provided that said board may impose a penalty of five dollars and no more on any one person so notified, as a condition of allowing his certificate to stand; also provided that said board of examiners may collect any such fees by suit.

Sec. 13. Said board shall have power to revoke any certificate of registration granted by it under this act for conviction of crime, habitual drunkenness for six months immediately before a charge to be made, gross incompetency or contagious disease; provided that before any certificate shall be so revoked, the holder thereof shall have notice in writing of charges against him, and at a day specified in said notice, at least five days after the service thereof, be given a public hearing and have opportunity to produce testimony in his behalf and confront the witnesses against him. Any person whose certificate has been so revoked, may, after the expiration of ninety days, apply to have the same regranted, and the same shall be regranted him upon a satisfactory showing that the disqualification has ceased.

Sec. 14. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five dollars, nor more than one hundred dollars, one-half of which shall be paid to the person who shall give the information leading to conviction, and the other half to the state, and in default of payment of said fine, shall be imprisoned in the county jail at the rate of one day for every two dollars of the fine so imposed. It shall be unlawful for any person, other than one legally qualified to practice medicine and surgery in this state, to make use of, or prescribe, a drug or drugs in the practice of optometry, or for the treatment of diseases of, or injury to, the human eye.

Sec. 15. Any justice of the peace in the state of Delaware shall have jurisdiction of violations of this act.

Sec. 16. Nothing in this act shall be construed to apply to any person who sells spectacles or eyeglasses in the ordinary course of trade who do not attempt to use a trial case or employ subjective and objective mechanical means to determine the accommodative and refractive states of the eye, and nothing in this act shall in anywise apply to practicing physicians in this state.

Sec. 17. This act shall take effect and be in force from and after its passage.

IOWA OPTOMETRY LAW.

1909.

Iowa Optometry Law is similar to the Florida Optometry Law.

Certificate for practitioners from other states. The board of examin-

ers may issue a certificate to any person taking up a permanent residence in the State of Iowa, and desiring to practice optometry, providing satisfactory evidence is furnished of his qualifications, including credentials from the state board of examiners in optometry of the state in which he formerly resided, and upon payment of a fee of fifteen dollars.

MAINE OPTOMETRY LAW.

1909.

Be it enacted by the people of the State of Maine as follows:

Section 1. There shall be and is hereby created a board which shall be known as the Maine State Board of Registration and Examination in Optometry, whose duty it shall be to carry out the provisions of this act. Said board shall consist of five members, three of whom shall have been resident opticians, engaged in the actual practice of optometry in the State of Maine for a period of five years prior to their appointment; one an oculist who in like manner has been engaged in the practice of his profession for five years prior to his appointment; and one a physician in actual practice; not more than three of whom shall belong to the same political party. The appointments to this board shall be made by the governor within thirty days after this law goes into effect. Of those so appointed two shall serve for one year, one for two years, and the other two for three years. The successors of all shall be appointed by the governor and shall serve for a term of three years each, and each shall hold his office until his successor is appointed. Appointments to fill vacancies from any cause shall be made by the governor for the residue of such term. The members of the board, before entering on their duties, shall each take and subscribe to the oath required to be taken by other state officers, which shall be administered by the secretary of state and filed in his office; and said board shall have a common seal. Any member of said board may be removed by the governor for cause.

Sec. 2. Said board shall at its first regular meeting, which shall be held within 15 days after their appointment, and annually thereafter, elect from its members a president, a secretary and a treasurer, who shall severally have the power, during their term of office, to administer such oaths and take such affidavits as are required by the provisions of this act, certifying thereto under their hand and the seal of the board. Said board shall meet at least once in each year at Augusta, and, in addition thereto, whenever and wherever the president and secretary thereof shall call a meeting; a majority of said board shall at all times constitute a quorum. The treasurer and secretary shall each give bond in the sum of not less than two thousand dollars, with sureties to be approved by the governor, which bond shall be filed with the state auditor. The secretary shall keep a full record of the proceedings of said board, which record shall at all reasonable times be open to public inspection. Said board shall from time to time establish and record, in a record kept for that purpose, a schedule of the minimum requirements which must be complied with by applicants for examination before they can be examined or receive a certificate. In like manner said board shall establish and put on record a schedule of the minimum requirements and rules for the recognition of schools of optometry so as to keep the requirements of proficiency up to the average standard of

other states. But no rule or requirement shall be made that is unreasonable, or that contravenes any of the provisions of this act.

Sec. 3. Every person before beginning the practice of optometry in this state after ninety days from the date when this act takes effect shall pass an examination before the state board of examiners. Such examination shall be confined to such knowledge as is essential to the practice of optometry. Any person having signified to said board his desire to be examined shall appear before such board at such time and place as they may designate, and before such examination shall pay to said board the sum of five dollars, and if he shall successfully pass said examination shall pay to said board a further sum of ten dollars on the issuance to him of a certificate. All persons successfully passing such examination shall be registered in a record which shall be kept by the secretary of said board, as licensed to practice optometry, and shall also receive a certificate of such registration to be signed by the president and secretary of said board.

Sec. 4. That the practice of optometry be defined as follows: The employment of mechanical means for testing and measuring the refractive and accommodative conditions of the eye, without the employment of drugs or medicine, and the measuring and grinding of lenses, the fitting, bending and adjusting of spectacles and eyeglasses with lenses for the betterment of vision: Provided, that the fitting or peddling of spectacles and eyeglasses by itinerant opticians prior to this act shall not be construed to mean the practice of optometry within the meaning of this act.

Sec. 5. After ninety days from the day when this act takes effect it shall be unlawful for any person to practice optometry in the State of Maine, unless he shall first obtain a certificate of registration from the board, hereby created, and file the same with the clerk of the supreme judicial court of the county in which he proposes to practice, as in this act provided.

Sec. 6. Nothing in this act shall be considered to apply to physicians and surgeons authorized to practice medicine and engage therein under the laws of the State of Maine, nor to resident merchants so long as they sell spectacles as any other piece of merchandise without representation of qualification in the practice of optometry on the part of the seller.

Sec. 7. Upon application and the payment of the sum of five dollars said board shall issue, without the prescribed examination, to persons practicing optometry in those states which, in the opinion of the board, equal the standard of the State of Maine in the requirements of such practice, a certificate to practice in this state, which certificate shall be filed in the same manner as that issued to residents of the State of Maine; provided, however, that such certificate shall be issued only to the residents of such states as allow similar privileges to residents of the State of Maine.

Sec. 8. Every person who has been engaged in the actual and continuous practice of optometry as defined by Section 4 in the State of Maine, for three years immediately prior to the time when this act takes effect, shall within ninety days thereafter file affidavit in satisfactory proof thereof with said board, which shall make and keep a

record of such persons, and shall upon the payment of the sum of five dollars issue to him a certificate of registration.

Sec. 9. All persons entitled to a certificate of registration under the provisions of Section 8 of this act shall be exempt from the provisions of Section 3.

Sec. 10. Every person receiving a certificate under the provisions of this act shall present the same for record to the clerk of the supreme judicial court of the county in which he intends to practice, and shall pay to such clerk fifty cents for recording the same, which certificate shall be recorded by the clerk in a record to be provided by him for that purpose.

Sec. 11. In case of change of residence from one county to another in this state, the holder of an optometrist's license shall obtain a new license in the county where he proposes to reside by filing with the clerk of the supreme judicial court for such county the license obtained by him in the county in which he last resided, in the same manner as provided for on the presentation of his certificate from the state board of registration and examination in optometry, and the clerk shall issue to him a new license.

Sec. 12. It shall be the duty of the clerk of the supreme judicial court of the county in which an applicant so intends to practice to issue to the person presenting such certificate as hereinbefore provided, a license over his official seal in the following form:

State of Maine, County of....., ss.

I....., clerk of the supreme judicial court of.....County, in the State of Maine, do hereby certify that.....has complied with the laws of Maine relating to the practice of optometry in the county and state aforesaid.

Witness my hand and seal of said court this.....day of

....., Clerk.

Sec. 13. The clerk of courts in each county shall furnish annually on the first day of January to the Maine State Board of Registration and Examination in Optometry, upon blanks furnished by such board, a duplicate list of all certificates received and licenses issued by him during the preceding year, and shall include therein the date of issue of such license, and the name and residence of the person receiving the same.

Sec. 14. Any person entitled to a certificate, as provided for in Section 8 of this act, who shall not within ninety days after this act takes effect, make written application to the board of examiners for a certificate of registration, accompanied by a written statement, signed by him, and duly verified before an officer authorized to administer oaths within this state, fully setting forth the grounds upon which he claims such certificate, shall be deemed to have waived his right to a certificate under the provisions of said Section 8. Any failure, neglect or refusal on the part of any person holding such certificate to file the same for record, as hereinbefore provided, for thirty days after the issuance thereof, shall forfeit the same.

Sec. 15. Every person to whom a certificate of examination or registration is granted shall display the same in a conspicuous part of his

office wherein the practice of optometry is conducted. And whenever practicing said profession of optometry outside of, or away from said office or place of business, he shall deliver to each customer or person so fitted with glasses, a bill of sale, which shall contain his signature, home postoffice address, and the number of his certificate of registration.

Sec. 16. Out of the funds coming into the possession of said board each member thereof may receive as compensation the sum of five dollars for each day actually engaged in the duties of his office and the actual expenses incurred in attending and meetings of the board. The secretary and treasurer shall be reimbursed for all necessary expenses incurred while discharging their duties to the board at their homes.

Said expense shall be paid from the fees and assessments received by the board under the provisions of this act, and no part of the salary or other expenses of the board shall ever be paid out of the state treasury. The treasurer shall pay the per diem and expenses as provided herein, only on the itemized verified statement of the person entitled thereto. All moneys received over and above said per diem allowance and expenses, as above provided for, shall be held by the treasurer as a special fund for meeting expenditures of said board and carrying out the provisions of this act. Said board shall make an annual report of its proceedings to the governor on the first Monday in January of each year, which report shall contain an account of all moneys received and disbursed by them pursuant to the act: Provided, however, that all moneys in excess of five hundred dollars, as shown by such report to be on hand and unexpended, shall be paid annually into the general school fund.

Sec. 17. Every registered optometrist shall in every year after 1909 pay to the said board of examiners the sum of two dollars as a license fee for each year. Such payment shall be made prior to the first day of April in each and every year, and in case of default in such payment by any person his certificate may be revoked by the board of examiners. Such fees shall be accounted for under Section 16.

Sec. 18. Said board may refuse to grant a certificate to any person guilty of felony, gross immorality or habitual drunkenness, or affected with contagious or infectious disease; and may, after notice and hearing, revoke a certificate and any license which may have been granted thereon, for like cause.

Sec. 19. To open an office for the purpose of practicing optometry or to announce to the public in any way an intention to practice optometry in any county in the state shall be prima facie evidence of engaging in the practice of optometry within the meaning of this act.

Sec. 20. Any person who shall after ninety days from the day when this act takes effect, be, or engaged in the practice of optometry in this state without first having obtained a certificate of registration from the board created by this act, shall be deemed guilty of a misdemeanor, and upon conviction may be fined not less than fifty dollars nor more than two hundred dollars.

Approved March 18, 1909.

WASHINGTON OPTOMETRY LAW.

1909.

Chapter 235. (S. B. 247.)

Be it enacted by the Legislature of the State of Washington:

Section 1. The practice of optometry is defined to be the employment of any means, other than the use of drugs, for the measurement of the powers of vision and the adaptation of lenses for the aid thereof.

Sec. 2. That a board to be known as the Board of Examiners in Optometry, for the State of Washington, is hereby established. Said board shall consist of three members, who will possess sufficient knowledge of theoretical and practical optics to practice optometry, and who shall have been residents of this state, actually engaged in the practice of optometry for at least five years. The term of each member of the said board shall be three years, or until his successor is appointed and qualified, and vacancies shall be filled for the unexpired term only; but in the original appointment of the members of the board, one shall be appointed for the term of one year, one for two years, and one for three years, from July 1, 1909. Said board shall be appointed by the governor of this state within 90 days after this act shall become effective and annually thereafter as vacancies occur. After the first board has been appointed only licensed optometrists shall be eligible to appointment. No member of said board shall be a stockholder, member of the faculty, or on a board of trustees of any school of optometry, or financially interested in a manufacturing or wholesale optical house.

Sec. 3. The members of said board shall qualify by taking oath of office before a notary public, or other officer empowered to administer oaths in the county in which each one, respectively, resides. At the first meeting of said board, after each annual appointment, the board shall elect a president, vice-president and secretary-treasurer. A majority of said board shall at all times constitute a quorum. Regular meetings shall be held at least once a year, at such time and place as shall be deemed most convenient for applicants. Due notice of such meetings shall be given by publication in such papers as may be selected by the board. Special meetings may be held upon a call of two members of the board. The board may prescribe rules, regulations and bylaws in harmony with the provisions of this act, for its own proceedings and government for the examination of applicants for the practice of optometry. Said board or any member thereof shall have the power to administer oaths for all purposes required in the discharge of its duties and shall adopt a seal to be affixed to all of its official documents.

Sec. 4. The board of examiners shall preserve a record of its proceedings in a book kept for that purpose, showing name, age, place and duration of residence of each applicant, the time spent in schools of optometry, and in the study and practice of same, and the year and school from which degrees were granted. Said register shall also show whether applicants were rejected or licensed, and shall be prima facie evidence of all matters contained therein. The secretary of the board shall, on March 1 of each year, transmit an official copy of said register to the secretary of state for permanent record, a certified copy of which, with hand and seal of the secretary of said board, or secretary of state, shall be admitted as evidence in all courts.

Sec. 5. From and after the passage of this act it shall be unlawful for anyone to practice optometry within the limits of this state who has not registered in the district clerk's office of the county in which he resides, and in each county in which he practices, his authority for so practicing, as herein prescribed, together with his age, postoffice address, place of birth, subscribed and certified by oath, which, if wilfully false, shall subject the applicant to conviction and punishment for false swearing, as provided by law. The fact of such oath and record shall be indorsed by the district clerk upon the certificate. The holder of the certificate must have the same recorded upon each change of residence or practice to another county, and in the absence of such record shall be prima facie evidence of the want of possession of such certificate.

Sec. 6. It is hereby made the duty of the district clerk of each organized county in this state to purchase a book of suitable size to be known as the "Optometry Register" of such county, and set apart one full page for the registration of each optometrist, and to record in said optometry register the name and record of each optometrist who presents a certificate from the board of examiners, issued under this act. The district clerk shall receive the sum of \$1.00 from each optometrist so registered, which shall be his full compensation for all duties required under this act. When an optometrist shall die or remove to another county, or have his license revoked, it shall be the duty of said clerk to make a note of the fact at the bottom of the page as closing the record. On January 1 in each year said clerk shall, upon request of the board, certify to the office of the state board of examiners in optometry a correct list of the optometrists then registered in the county, together with such other information as said board may require. Any district clerk upon conviction of knowingly violating any of the provisions of this act shall be fined not less than \$10.00 nor more than \$50.00. A copy from the optometry register pertaining to any person, certified to by said district clerk, under the seal of said court, also a certificate issued by said official, certifying that any person named has or has not registered in said office, as required by this act, shall be admitted as evidence in all trial courts.

Sec. 7. Every person desiring to commence or to continue the practice of optometry after January 1, 1910, except as hereinafter provided, upon presentation of satisfactory evidence, verified by oath, that he is more than 21 years of age, of good moral character, has a preliminary education equivalent to at least two years in a public high school, and has also studied at least three years in a registered optometrist's office, or has graduated from a school of optometry, maintaining a standard of not less than twelve months' actual attendance, said twelve months to be divided into at least two equal terms, with an interval of not less than six months separating each term, and satisfactory to the said board of examiners in optometry, shall take an examination before said board of examiners in optometry to determine his qualifications therefor. Every candidate successfully passing examination shall be registered by said board of examiners in optometry as possessing the qualifications required by this act, and shall receive from said board of examiners in optometry a certificate therefor; but any person who shall submit to said board of examiners in optometry satisfactory proof as

to his character, competency and qualifications, and that he has been continuously engaged in the practice of optometry in the state for more than two years next prior to the passage of this act, may receive from said board of examiners in optometry a certificate of exemption from such examination, which certificate shall be registered and entitle him to practice optometry under this act. Every person entitled to a certificate of exemption as herein provided, must make application therefor and present the evidence to entitle him thereto on or before January 1, 1910, or he shall be deemed to have waived his right to such certificate. Before any certificate is issued it shall be numbered and recorded in a book kept by the secretary of the state board of examiners in optometry, and its number shall be noted upon the certificate. Applications for examination must be made in writing under affidavit to the secretary of the board of examiners in optometry, and on forms prepared by said board, accompanied by a fee of \$25.00. Such applicants shall be given due notice of the date and place of examination. In case any applicant, because of his failure to pass examination, be refused a license, he or she shall, after six months, be permitted to take a second examination without additional fee. The fee for issuing a certificate of registration shall be \$15.00, and for a certificate of exemption \$10.00, to be paid to the board of examiners in optometry.

Sec. 8. The fund realized from the aforesaid fees shall be applied (first) to the payment of all necessary expenses of the board of examiners; any remaining funds shall be applied, by order of the board, to compensating members of the board in proportion to their labors: Provided, said compensation shall in no case exceed \$5.00 each per day for time occupied.

Sec. 9. All examinations shall be conducted in writing and in such manner as shall be entirely fair and impartial to all individuals and every recognized school of optometry, the applicants being known by numbers, without name or other method of identification, on examination papers, by which members of the board may be able to identify such papers until after the applicants have been granted licenses or rejected. Upon satisfactory examination, under the rules of the board, applicants shall be granted licenses to practice optometry. All questions and answers, with grades attached, shall be preserved for one year. All applicants examined at the same time shall be given identical questions. All certificates shall be attested by the official seal, and signed by all members of the board, or a quorum thereof.

Sec. 10. The state board of examiners in optometry may refuse to admit persons to its examinations or to issue the certificates provided for in this act for any of the following causes:

(First) The presentation to the board of any certificate, or testimony, which was illegally or fraudulently obtained, or when fraud or deceit has been practiced in passing an examination.

(Second) Conviction of or charged by indictment with a crime of the grade of a felony, or one which involved moral turpitude.

(Third) Other grossly unprofessional or dishonorable conduct of a character likely to deceive or defraud the public; or for habits of intemperance of (or) drug addiction, calculated to destroy the accuracy of the work of an optometrist: Providing, that any applicant who may

be refused admittance to examination before said board shall have his right of action to have such issue tried in the district court of the county in which some member of the board shall reside.

Sec. 11. The right herein to practice optometry in this state may be revoked by any court of competent jurisdiction upon proof of the violation of the law in any respect in regard thereto, or for any cause for which the state board of examiners in optometry is authorized to refuse to admit persons to its examinations, as provided in Sec. 10 of this act, and it shall be the duty of the several district and county attorneys of this state to file and prosecute appropriate and judicial proceedings in the name of the state upon request of any member of said board.

Sec. 12. Any person practicing optometry in this state in violation of the provisions of this act shall, upon conviction thereof, be fined not less than \$50.00 nor more than \$500.00, or by imprisonment in the county jail for a term not less than two months nor exceeding six months, or both, and each day of such violation shall constitute a separate offense.

Sec. 13. Nothing in this act shall be construed to apply to duly licensed physicians authorized to practice medicine under the laws of the State of Washington, nor persons who sell spectacles, eyeglasses or lenses as merchandise from permanently located and established places of business.

Sec. 14. All acts and parts of acts inconsistent with this act are hereby repealed.

Passed by the Senate March 2, 1909.

Passed by the House March 11, 1909.

An act relating to the compensation and duties of the board of examiners in optometry and the members and officers thereof, and amending Section 8473 of Remington & Ballinger's Annotated Codes and Statutes of Washington and adding Section 14 thereto relating to license fee.

Be it enacted by the Legislature of the State of Washington:

Section 1. That Section 8473 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 8473. Each member of the board of examiners in optometry shall receive a compensation of five dollars a day for each day he is actually and necessarily engaged in attendance upon meetings of the board, and in going to and returning from the place of meeting, and necessary expenses incurred in attending such meetings; all such compensation and expenses and all other expenses incident to the execution of the provisions of this act shall be paid by the state treasurer upon warrants drawn by the state auditor upon the presentation of proper vouchers, to be approved by a majority of said board as in the case of state officers. The secretary-treasurer of said board shall receive a compensation to be determined by said board not to exceed \$100.00 per annum. All money received or collected by said board or any member or officer thereof during any month shall be turned over before the 10th day of the succeeding month to the state treasurer, together with a verified statement showing the sources from which such money was derived.

Sec. 14. Every registered optometrist and every optometrist prac

ting under an exemption certificate shall in every year after 1914 pay to said board of examiners the sum of \$1.00 as a license fee for such year, such payment shall be made prior to the 10th day of January in each and every year, and in case of default of payment of such fee by any person, and after twenty days' notice of such default, his certificate may be revoked by the board of examiners until such fee is paid.

Passed the House March 10, 1913.

Passed the Senate March 12, 1913.

Approved by the governor March 15, 1913.

NORTH CAROLINA OPTOMETRY LAW.

1909.

The General Assembly of North Carolina do enact:

Section 1. That the practice of optometry is defined as follows, namely: The practice of optometry is hereby defined to be the employment of any means, other than the use of drugs, medicine or surgery for the measurement of the powers of vision and the adaptation of lenses for the aid thereof.

Sec. 2. After the passage of this act it shall be unlawful for any person to practice optometry in the State of North Carolina unless he shall first have obtained a certificate of registration and filed the same or a certified copy thereof with the clerk of the superior court of his residence all as hereinafter provided.

Sec. 3 There is hereby created a board whose duty it shall be to carry out the purposes and enforce the provisions of this act, and shall be styled the "North Carolina State Board of Examiners in Optometry." Said board shall be appointed by the governor as soon as it is practicable after the passage of this act and shall consist of five regular optometrists who are members of the North Carolina State Optical Society and who have been engaged in the practice of optometry in the state of North Carolina for five years. The terms of said members as appointed as aforesaid shall be as follows: One for one year, one for two years, one for three years, one for four years, one for five years. The terms of members thereafter appointed shall be for five years. The appointment to fill vacancies shall be for the unexpired terms. The members of the board before entering upon their duties shall respectively take all oaths taken and prescribed for other state officers, which shall be administered by the secretary of state and filed in his office and said board shall have a common seal

Sec. 4. Said Board of Examiners shall choose at the first regular meeting and annually thereafter one of its members as president and one as secretary and treasurer. Said board shall make such rules and regulations not inconsistent with the law as may be necessary to the proper performance of their duties and each member thereof may administer oaths and take testimony concerning any matter within the jurisdiction of said board. A majority of the said board shall constitute a quorum. Said board shall meet at least twice a year, the time and place to be designated by the president and secretary. The secretary of said board shall keep a record of the proceedings of said board, which record shall at all reasonable times be open to public inspection.

Sec. 5. Every person before beginning to practice optometry in this state after the passage of this act shall pass an examination before said board of examiners. Such examination shall be confined to such knowledge as is essential to the practice of optometry. Any person having signified his desire to be examined, and before beginning such examination, shall pay to the said board for the use of the said board the sum of \$10.00, and if he shall successfully pass the examination he shall pay to the said secretary for the use of said board a further sum of \$5.00, on issuance to him of the certificate. Provided, any candidate presenting himself for examination and failing to successfully pass the board shall have returned to him the \$10.00 fee required in this section. All persons successfully passing said examination shall be registered in the board registry, which shall be kept by said secretary, as licensed to practice optometry, and he shall receive a certificate of registration, to be signed by the president and secretary of said board.

Sec. 6. Every person who had been engaged in the practice of optometry, in the state of North Carolina for two years prior to the date of the passage of this act shall within six months thereafter, file an affidavit as proof thereof with the said board. Secretary shall keep a record of said person and shall upon payment of \$3.00 issue to said person a certificate of registration without the necessity of an examination.

Sec. 7. All persons entitled to a certificate of registration under the full provisions of Sec. 6 shall be exempt from the provisions of Sec. 5 of this act.

Sec. 8. All recipients of said certificate of registration shall present the same for record to the clerk of the superior court if the county in which they reside and shall pay a fee of 50 cents for recording the same. Said clerk should record the said certificate in a book to be provided to him for that purpose. Any person so licensed before engaging in the practice of optometry in other county shall before commencing the practice in said county file the same for record with the clerk of the superior court of the county in which he desires to practice and pay the clerk thereof for recording the same a fee of 50 cents. Any failure, neglect or refusal on the part of such person holding such certificate to file the same for record as hereinbefore provided for thirty days after issuance thereof shall forfeit the same and said certificate shall become null and void. Upon request of any person entitled to a certificate of registration at any time the board shall issue a certified copy of the certificate of registration and upon the fact of the loss of the original certificate being made to appear, a certified copy shall be recorded in lieu of the original and that said board shall be entitled to a fee of \$1.00 for recording the certified copy of the certificate of registration.

Sec. 9. Any person entitled to a certificate as provided for in Sec. 7 of this act who shall not within six months after the passage of this act make a written application to the board of examiners for a certificate of registration accompanied by a written statement signed by him and duly verified before an officer authorized to administer oaths within this state fully setting forth the grounds upon which

he claims such certificate, shall be deemed to have waived his right to a certificate under the provisions of said section. Any such person may obtain a certificate thereafter by successfully passing examination and paying the fee as provided for in this act.

Sec. 10. Every person to whom a certificate of examination or registration is granted shall display the same in a conspicuous part of his office wherein the practice of optometry is conducted.

Sec. 11. Out of the funds coming into possession of said board each member thereof may receive as compensation a sum of \$5.00 for each day he is actually engaged in the duties of his office and mileage at 3 cents per mile for all distances necessarily traveled in going to and from the meeting of the board. The said expenses shall be paid from the fees and assessments received by the board under the provisions of this act and no part of the salary or other expenses of the board shall ever be paid out of the state treasury. All money received in excess of per diem allowance and mileage as above provided for shall be held by the secretary as a special fund for meeting expenses of said board and carrying out the provisions of this act, and he shall give the state such bond as the board shall from time to time direct for the faithful performance of his duties. And the board shall make an annual report of its proceedings to the governor the first Monday in January of each year, which report shall contain an account of all moneys received and disbursed by them pursuant to this act.

Sec. 12. Every registered optometrist shall in every year after 1909 pay to the said board of examiners the sum of not over \$2.00, the amount to be fixed by the board as a fee for said year. Said payment shall be made prior to the first day of April in each and every year, and in case of default in said payment by any person his certificate may be revoked by the examiners on twenty days' notice of a time and a place of considering said revocation. But no license shall be revoked for non-payment if the person so notified shall pay before or at such time of consideration his fee in such penalty as may be imposed by said board; provided, said board may impose a penalty of \$5.00 and no more on any one person so notified as a condition of allowing his license to stand; provided further, that said board of examiners may collect any such dues by suit.

Sec. 13. Said board shall have the power to revoke any certificate of registration granted by it under this act for conviction of crime, habitual drunkenness for six months immediately before charge to be made, gross incompetency, contagious or infectious disease. Provided, that before any certificate may be so revoked the holder thereof shall have notice thereof in writing of the charge or charges against him. And at any day specified in said notice, at least five days after the service thereof, be given a public hearing and have an opportunity to present testimony in his behalf and to confront the witnesses against him. Any person whose certificate has been so revoked may, after the expiration of ninety days, apply to have the same regrantd, and the same shall be regrantd him upon the satisfactory showing that the disqualification has ceased.

Sec. 14. Any person who shall violate any of the provisions of this act, and any person who shall hold himself out to the public as a

practitioner of optometry without a certificate of registration provided for in this act shall be deemed guilty of a misdemeanor, and upon conviction in any court having jurisdiction of misdemeanors may be punished as for a misdemeanor by a fine of not more than \$100.00, or imprisonment for not more than four months, or both, in the discretion of the court.

Sec. 15. Nothing in this act shall be construed to apply to physicians and surgeons authorized to practice under the laws of North Carolina or prohibit persons to sell spectacles, eyeglasses or lenses or merchandise from permanently located and established places of business.

Sec. 16. All laws and parts of laws in conflict with the foregoing are hereby repealed.

Sec. 17. That this act shall be in force and effect from and after its ratification.

Ratified this 6th day of March A. D., 1909.

KANSAS OPTOMETRY LAWS. 1909.

Section 2. Unlawful to practice unless, that it shall be unlawful for any person to practice or attempt to practice optometry in the State of Kansas, without first having received a diploma from the faculty of some reputable college, school or university department, duly authorized by laws of the State or some other of the United States, or by the laws of some foreign government, in which college, school or university department there was at the time of the issuance of such diploma, either written or oral, a full course of lectures or instructions in optometry; Provided that nothing in this section shall apply to any person engaged in the practice of optometry in this State at the passage of this Act as hereinafter provided; And provided further, That nothing in this Act shall be construed as to prevent physicians and surgeon from testing the eyes and fitting glasses, or those persons who have heretofore been registered as doctors of optics by the State Medical Board.

NOTE:—Realizing the fact that legislation cannot be retroactive and that no man should be legislated out of business in which he was lawfully engaged at the time of the passing of above Act, the above section makes liberal provision for the continuance of all those so engaged at the passage of this Act.

Sec. 3. The Board of Examiners consists of three reputable and practicing optometrists.

Sec. 6. *Certificates.* Certificates issued by the state board of examiners shall be of two grades, First and Second, and shall continue in force one year.

Sec. 12. *Examination of Others.* Any person desiring to practice optometry in this state and not holding a diploma from any school or other institution as provided in Sec. 2, shall be entitled to be examined by the Board of Examiners. Said application to be accompanied by a fee of \$5.00.

Sec. 16. Every registered optometrist shall in every year after 1909 pay to said Board of Examiners the sum of \$2.00 as a fee for a renewal of his certificate of registration for each year.

With these exceptions, the Kansas Optometry Law is similar to the Florida Optometry Law.

FLORIDA OPTOMETRY LAW.

1909.

Chapter 5947—(No. 78) and Chapter 6492—No. 72).

Be it Enacted by the Legislature of the State of Florida: *Definition.* Section 1. That the practice of optometry, for the purposes of this Act, is defined as follows, viz: The use or employment of tests or examinations for the determination of the natural and functional deficiencies of the eye and the adaptation of lenses for the aid thereof.

Appointment of Board—Terms of Members of Board—Vacancies. Sec. 2. There is hereby created a board to be known and styled the "Florida Board of Examiners in Optometry," to be composed of five regular opticians, residents of the State of Florida, who have been engaged in the practice of optometry in said State for two years. Said board shall be appointed by the governor as soon as practicable after the passage of this Act, one member for a term of one year, one for two years, one for three years, two for four years, and each until his successor is appointed and qualified; and the terms of members thereafter appointed shall be for four years; provided, however, that the appointments to fill vacancies, which the governor is hereby empowered to make, shall be for the unexpired term.

Officers of Board—Meeting of Board—Notice of Meeting. Sec. 3. Said board of examiners shall elect, at its first regular meeting, and annually thereafter, one of its members as president and one as secretary and treasurer, and shall hold a regular meeting at least once each year at such time and place as the said board may determine; special meetings may be called and held at such times and places as may be designated by the president and secretary, and such special meetings shall be held upon the application of five applicants for examination. At least thirty days' notice of any regular meeting shall be given by publication once a week in a newspaper of general circulation throughout the State.

Quorum. Sec. 4. Three members of said board shall constitute a quorum for the transaction of business, and should a quorum not be present on the day appointed for their meeting those present may adjourn from day to day or to some designated day until a quorum is present.

Duty of Board. Sec. 5. Said board shall make such rules and regulations not inconsistent with law as it may consider necessary to the proper performance of its duties; may take testimony concerning any matter within its jurisdiction, and each member thereof may administer oaths. It shall be the duty of said board to examine thoroughly every applicant desiring to practice optometry in this State, and if a majority of said board shall be satisfied that said person is competent and possesses the knowledge essential to such practice, they shall grant him a certificate to that effect and enter his name on their records as a registered practitioner. The secretary shall keep a full report of the proceedings of the board, which records shall at all reasonable times be open to public inspection.

Examinations—Examination Fees. Sec. 6. No person shall practice

optometry in this State, unless such person is at least 21 years old, is of good moral character, possesses an education equivalent to two years' attendance at a high school, and has had two years' study and training under an optometrist or has graduated from a school of optometry maintaining a standard of instruction satisfactory to the board of examiners provided for in said chapter 5947, laws of Florida, and shall have passed an examination before said board of examiners as provided for in Sec. 5 of said Act. Any such person having signified his desire to be so examined, shall appear before said board of examiners at such time and place as they may designate. Before taking said examination the applicant shall pay for the use of said board of examiners in defraying the legitimate expenses thereof, the sum of \$10.00, and if such person shall successfully pass such examination, he shall then pay, for the use of said board of examiners as aforesaid, the further sum of \$15.00, upon the issuance to him or her of a certificate of qualification signed by the president and secretary of said board of examiners. Any certificate of qualification so granted by said board, as aforesaid, may be revoked by said board, if the person to whom issued, after at least thirty days' notice of a time and place of hearing before said board, and given an opportunity to be heard, shall be found by said board to have been guilty of gross immoral conduct or imposition upon any person, in the practice of his profession as an optometrist; or addicted to habitual intemperance in the use of intoxicating stimulants, beverages or narcotic drugs; or found to have become incompetent as an optometrist; or to have secured his certificate of qualification through deceit or fraud.

Recording, Etc. of Certificate. Sec. 7. The certificate provided for in the two preceding sections shall be recorded in the office of the clerk of the circuit court of the county in which said practitioner may desire to sojourn, and in the county where he may practice, in a book to be kept by the clerk for that purpose, before the person to whom it is granted shall be entitled to practice by virtue thereof; and when so recorded the clerk shall certify thereon, under his official seal, the fact and date of such record, and shall return such certificate to the person to whom the same was granted, and shall be entitled for such service to collect from the holder thereof the legal fee for recording.

Disposition of Funds and Compensation of Board—Board to Report to Governor. Sec. 9. Out of the funds coming into the possession of said board, each member thereof may receive as compensation the sum of \$5.00 for each day he is actually engaged in the duties of his office, and mileage at the rate of 3 cents per mile for distance necessarily traveled in going to and coming from the meetings of the board; and the president and the secretary of said board may each receive a salary not exceeding \$25.00 per month each in addition to the foregoing fees. The said expenses and such other expenses as may be incident to the execution of this Act, and chapter 5947, laws of Florida, after being audited by said board, shall be paid from the fees, fines and assessments received by the board under the provisions of said acts; and no part of the salaries or other expenses of the board shall be paid out of the state treasury, or be a charge against

the State, nor shall the State be in any wise responsible for any indebtedness which may be created by said board. Should the fees from applicants desiring to practice optometry in this State be insufficient to defray the expenses of said board, the secretary of said board may assess a sum, not exceeding \$15.00 per annum, upon each registered optometrist, and shall give each of them sixty days' notice, by registered mail, of such assessment, and the amount thereof, and should any such registered optometrist fail to pay the sum so assessed within such sixty days, and return card from such registered notice shall have been received by said board duly signed by the optometrist to whom addressed, or his agent, then his or her certificate of qualification permitting him or her to practice optometry in this State shall thereby stand and be revoked, and said board shall thereupon strike the name of such person from the list of registered optometrists of this State. Provided, however, that such delinquent may be reinstated as a registered optometrist, and shall have the right of a renewal certificate, at any time after such revocation, on the payment of such assessment and renewal fees, together with such penalty not exceeding \$25.00, as said board may determine. Upon any certificate of qualification becoming revoked as herein provided it shall be unlawful for such optometrist to practice in this State, unless and until he thereafter be reinstated as herein provided. All moneys received by said board of examiners under the provisions of this Act, and chapter 5947, laws of Florida, shall be held by the secretary as a special fund out of which may be paid the per diem allowance, mileage of members, salaries of the president and secretary, attorney fees, and the expenses incurred by said board in carrying out the provisions of said acts. The secretary of said board shall make an annual report of its proceedings to the governor of the State of Florida on the first Monday in January of each year, which report shall contain an account of all moneys received and disbursed by them in pursuance of the provisions of said acts.

Penalty for Practicing in Violation of Act. Sec. 10. Any person who shall hold himself out to the public as a practitioner of optometry, or who shall engage in the practice of optometry, without first complying with the provisions of this Act, or who shall violate any of the provisions of said Act, shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not more than two hundred dollars, or by imprisonment not exceeding six months.

Construction. Sec. 11. Nothing in this act shall be construed to apply to physicians and surgeons authorized to practice under the laws of Florida, nor to dealers in optical goods or stores or other places who sell spectacles or eyeglasses without the use of test case or any other instruments nor in any way leave the impression that they have the right to examine for refractive errors of the eye.

Sec. 12. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Approved May 21, 1909, and June 7, 1913.

RHODE ISLAND OPTOMETRY LAW.

1909.

It Is Enacted by the General Assembly as Follows:

Section 1. The practice of optometry is defined to be the employment of mechanical means, other than the use of drugs, medicine or surgery, for the measurement of the powers of vision and the adaptation of lenses for the aid thereof.

Sec. 2. At the present session of the general assembly the governor, with the advice and consent of the senate, shall appoint a Board of Examiners in Optometry. Such Board of Examiners shall consist of five members who shall possess sufficient knowledge of theoretical and practical optics to practice optometry, and who shall have been residents of this State, actually engaged in the practice of optometry, for at least five years next prior to appointment.

Annually thereafter in January the governor shall, as aforesaid, appoint one registered optometrist, as hereinafter provided, as a member of said board for the term of five years from the first day of February following, or until his successor is appointed; but in the original appointment of the members of the board, one shall be appointed for the term of one year, one for two years, one for three years, one for four years and one for five years, from the first of February, 1909. Vacancies occurring in said board when the general assembly is not in session shall be filled, until the next session of the general assembly only, by the governor, as aforesaid. No member of said board shall be a stockholder, member of the faculty or on a board of trustees of any school of optometry, or financially interested in a manufacturing or wholesale optical house.

Any member of said board may be removed by the governor for such cause as he and the senate shall deem sufficient and shall express in the order of removal.

Sec. 3. The members of said board shall qualify by taking the oath provided by law for public officers before a notary public, or other officer empowered to administer oaths in this State. Said board shall meet within one month after its appointment, and annually thereafter on the first Tuesday of February, at such time and place as it shall determine, and shall organize by electing a president, vice-president, secretary and a treasurer from its members, who shall hold their offices for one year or until their successors are elected. The treasurer shall give to the general treasurer a bond of \$1,000, with sufficient sureties, to be approved by said general treasurer, for the faithful performance of his official duties. The board shall annually hold its regular meeting the first Tuesday of February, and additional meetings, when necessary, at such time and places as it shall determine. The majority of said board shall at all times constitute a quorum for the transaction of business. The board may prescribe rules, regulations and by-laws, in harmony with the provisions of this Act, for its own proceedings and government for the examination of applicants for the practice of optometry. Said board or any member thereof, shall have the power to administer oaths for all purposes required in the discharge of its duties, and said board shall adopt a seal to be affixed to all its official documents.

Sec. 4. The Board of Examiners shall preserve a record of its proceedings in a book kept for that purpose, showing receipts and disbursements, name, age, place and duration of residence of each applicant and registered optometrist, the time spent in schools of optometry and in the study and practice of same, and the year and school from which degrees were granted. Said register shall also show whether applicants were rejected or licensed, and, if licensed, give the number of the certificate of each, and said register shall be prima facie evidence of all matters contained therein. The secretary of the board shall in January of each year transmit an official copy of said register to the Secretary of State for permanent record, a certified copy of which, with hand and seal of the secretary of said board, or Secretary of State, shall be admitted as evidence in all courts.

Sec. 5. Every person desiring to commence or to continue the practice of optometry after January 1, 1910, except as hereinafter provided, upon presentation of satisfactory evidence, verified by oath, that he is more than 21 years of age, of good moral character, has a preliminary education equivalent to at least two years in a public high school, and has also studied at least three years in a registered optometrist's office, or has graduated from a school of optometry, maintaining a standard of not less than twelve months' actual attendance and satisfactory to the said Board of Examiners in Optometry, shall take an examination before said Board of Examiners in Optometry to determine his qualifications therefor. Every candidate successfully passing examination shall be registered by said Board of Examiners in Optometry as possessing the qualifications required by this Act, and shall receive from said Board of Examiners in Optometry a certificate therefor which shall have printed conspicuously upon its face the definition of optometry as contained in Sec. 1; but any person who shall submit to said Board of Examiners in Optometry satisfactory proof as to his character, competency and qualifications, and that he has been continuously engaged in the practice of optometry in the State for more than three years next prior to the passage of this Act, may receive from the said Board of Examiners in Optometry a certificate of exemption from such examination, which certificate shall be numbered and registered with the Board of Examiners in Optometry and entitle him to practice optometry under this Act.

Every person entitled to a certificate of exemption, as herein provided, must make application therefor, and present the evidence to entitle him thereto, on or before January 1, 1910, or he shall be deemed to have waived his right to such certificate. Before any certificate is issued it shall be numbered and recorded in a book kept by the State Board of Examiners in Optometry, as provided in Sec. 4 of this Act, and its number shall be noted upon the certificate. Applications for examination must be made in writing, under affidavit, to the secretary of the Board of Examiners in Optometry, and on forms prepared by said board, accompanied by a fee of \$10.00. Such applicants shall be given due notice of the date and place of examination. An applicant who fails to pass a satisfactory examination shall be entitled to one re-examination, after the expiration of three months, free of charge, at any future meeting of the Board, but for each

subsequent examination a fee of \$5.00 shall be paid. The fee for issuing a certificate of registration shall be \$10.00 and for certificate of exemption \$5.00, to be paid to the Board of Examiners in Optometry, and regularly every year thereafter a renewal certificate shall be granted, and the fee for each renewal shall be \$2.00.

Sec. 6. Every person to whom a certificate of either registration or exemption shall be granted shall immediately display his certificate in a conspicuous place in the principal office wherein he practices optometry, and whenever required exhibit such certificate to said board or its authorized representatives; and whenever practicing said profession of optometry outside of or away from said office or place of business he shall deliver to each customer or person so fitted with glasses a bill of sale, which shall contain his signature, home post-office address and the number of his certificate of registration, together with a specification of the lenses furnished and the price charged therefor.

Sec. 7. The actual expenses of said board shall be paid out of the funds received from applicants for examination and registration; provided, that in no event shall such expenses be a charge against the State. After all necessary expenses of said board have been paid by the treasurer thereof, out of the moneys received by it from said fees, including \$5.00 for each day's actual attendance to each member of said board, and 3 cents a mile for mileage, if there be funds for that purpose, the balance of the moneys received by it from said fees under this Act shall be paid to the general treasurer. No moneys shall be applied to the payment of the expenses of said board or said compensation, except that received from said fees as aforesaid.

Said board annually shall present to the general assembly, in the month of January, a detailed statement of the receipts and disbursements of said board during the preceding year, with a statement of its acts and proceedings, and such recommendations as said board may deem proper.

Sec. 8. All examinations shall be conducted in writing and in such manner as shall be entirely fair and impartial to all individuals and every recognized school of optometry; the applicants being known by numbers, without name or other method of identification, on examination papers by which members of the board may be able to identify such papers until after the applicants have been granted licenses or rejected. Upon satisfactory examination, under the rules of the board, applicants shall be granted licenses to practice optometry. All questions and answers, with grades attached, shall be preserved for one year. All applicants examined at the same time shall be given identical questions. All certificates shall be attested by the official seal and signed by all members of the board or a quorum thereof.

Sec. 9. The State Board of Examiners in Optometry may refuse to admit persons to its examinations, or to issue the certificates provided for in this Act, for any of the following causes:

(First). The presentation to the board of any certificate or testimony which was illegally or fraudently obtained, or when fraud or deceit has been practiced in passing the examination.

(Second). Conviction of or charged by indictment with a crime of the grade of felony, or one which involved moral turpitude.

(Third). Other grossly unprofessional or dishonorable conduct of a character likely to deceive or defraud the public; or for habits of intemperance or drug addiction calculated to destroy the accuracy of the work of an optometrist; provided, that any applicant who may be refused admittance to examination before said board, or shall be refused a license, or certificate, shall have his right of action to have such issue tried in the superior court, sitting in Providence or where applicant resides.

Sec. 10. The right herein given to any person to practice optometry in this State may be revoked by the superior court upon proof of the violation of the law in any respect in regard thereto, or for any cause for which the State Board of Examiners in Optometry is authorized to refuse to admit persons to its examinations, as provided in Sec. 9 of this Act; and it shall be the duty of the attorney-general of this State to file and prosecute appropriate and judicial proceedings, in the name of the State, upon request of any member of said board.

Sec. 11. No person not a holder of a certificate of registration duly issued to him shall, after January 1, 1910, practice optometry within this State. No person shall falsely personate a registered optometrist of a like or different name, nor buy, sell, or fraudulently obtain a certificate of registration issued to another. Any person who shall practice or attempt to practice optometry in this State in violation of any of the provisions of this Act shall be punished by a fine of not less than twenty dollars nor more than one hundred dollars for each and every offense; and the failure of such person to duly register with said Board of Examiners in Optometry, or the opening or maintaining of an optometrist's office, as the displaying of an optometrist's sign or door-plate, or the advertising of a readiness to practice optometry in this state, in public prints, or by his cards, circulars, posters or in any other manner by any such person, shall be evidence of such violation.

Sec. 12. Nothing in this Act shall be construed to apply to duly licensed physicians authorized to practice medicine under the laws of the State of Rhode Island, nor to persons who neither practice nor profess to practice optometry, and who sell spectacles, eyeglasses or lenses, either on prescription from physicians or from duly qualified optometrists, or as merchandise from permanently located and established places of business.

Sec. 13. This Act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

VERMONT OPTOMETRY LAW.

1909.

It is hereby enacted by the General Assembly of the State of Vermont:

Section 1. The practice of optometry is hereby defined to be the employment of any means, other than the use of drugs, for the measurement of the powers of vision and the adaptation of lenses for the aid thereof.

Sec. 2. The State Board of Examiners in Optometry shall consist

of three persons, engaged exclusively in the practice of optometry, who shall possess sufficient knowledge of theoretical and practical optics to practice optometry, and who at the time of their appointment shall have been residents of this State actually engaged in the practice of optometry for at least five years.

Sec. 3. On or before the first day of January, 1909, the governor shall appoint the members of said board, whose terms of office shall begin on the first day of January, 1909, and expire in one, two and three years respectively from said date, as designated by the governor; and the governor shall annually thereafter appoint one member for three years to fill the vacancy caused by the expiration of the term of the outgoing member. A vacancy in the board shall be filled by the governor.

Sec. 4. Said board shall at its first meeting after appointment, elect a president, secretary and treasurer, who shall hold their respective offices for one year from the date of their election, and until their successors are chosen.

Sec. 5. Said board shall meet at least annually, and thirty days' notice of the time and place shall be given in at least two optical journals circulating in this State. At least one meeting of the board shall be held previous to the first day of July, 1909.

Sec. 6. A person desiring to commence or continue the practice of optometry after the first day of July, 1909, except as hereinafter provided, upon presentation of satisfactory evidence that he is more than 21 years of age, of good moral character, has a preliminary education equivalent to at least two years in a high school, has graduated from a recognized, standard school of optometry maintaining a two years' course of study of at least six months in each year, shall take an examination before said board to determine his qualifications therefor, and if he passes such examination shall receive a certificate thereof; but a person who has been continuously engaged in the practice of optometry in this State for more than two years next prior to the passage of this Act shall receive from said board a certificate of exemption from such examination, which shall entitle him to practice optometry under this Act. A person entitled to a certificate of exemption as herein provided shall make application therefor, and present the evidence to entitle thereto on or before July 1, 1909, or he shall be deemed to have waived his right to such certificate.

Sec. 7. A person to whom a certificate of either registration or exemption is issued shall forthwith cause the same to be recorded in the office of the Secretary of State and shall pay him 25 cents for recording the same.

Sec. 8. A person practicing optometry shall display his certificate of registration or exemption in a conspicuous place in the principal office wherein he practices. Whenever practicing outside of, or away from, said office, he shall deliver to each person whom he fits with glasses a bill of purchase, which shall contain his signature, home postoffice address and the number of his certificate of registration or exemption, together with a specification of the lenses furnished and the price charged therefor.

Sec. 9. The fee for examination shall be \$15.00, for a certificate of

registration 10.00, and for a certificate of exemption \$5.00, to be paid to the treasurer of the board. The treasurer shall make a quarterly report to the state treasurer of examinations given and certificates granted, and pay into the State treasury the money received by him therefor.

Sec. 10. Said board shall revoke a certificate of registration or exemption if the holder thereof is guilty of fraud or deceit in his practice, has been convicted of crime, is an habitual drunkard or is incompetent to practice optometry; provided that no certificate shall be revoked until the holder is given a hearing before said board. A person who shall practice optometry after the revocation of his certificate shall be deemed, to have practiced without a certificate. A person whose certificate has been revoked may, after the expiration of one year from the date of such revocation, apply for a new certificate, in the manner provided for original applications; and the board may in its discretion exempt the applicant from examination and grant him a certificate of exemption.

Sec. 11. No person not a holder of a certificate of registration or exemption, duly issued and recorded, shall after the first day of July, 1909, practice optometry within this State. No person shall falsely personate a registered optometrist nor buy, sell or fraudulently obtain a certificate of registration or exemption issued to another. A person violating the provisions of this section shall be fined not more than \$100.00, nor less than \$25.00.

Sec. 12. Nothing in this Act shall be construed to apply to duly licensed physicians authorized to practice medicine under the laws of this State, nor to persons who neither practice nor profess to practice optometry, who sell spectacles, eyeglasses or lenses either on prescriptions from such physicians or from registered optometrists, or as merchandise from permanently located places of business.

Sec. 13. Each member of the Board of Examiners in Optometry shall receive \$3.00 a day for services rendered, and necessary expenses. If the amount received by the board from examinations and certificates is not sufficient to pay the per diem and expenses allowed said board, the auditor of accounts shall allow the expenses in full and such percentage of per diem that the expense to the state of the board shall not exceed the receipts of said board.

Sec. 14. This Act shall take effect from its passage.

Approved January 9, 1909.

No. 1. Acts of 1915.

Sec. 197. Section 3 of No. 152 of the Acts of 1908 is hereby amended so as to read as follows:

Sec. 3. An appointment to the State Board of Examiners in Optometry shall be made in the month of January, annually for a term of three years from and including the first day of February in the year of such appointment.

Sec. 198. Section 9 of No. 152 of the Acts of 1908 is hereby amended so as to read as follows:

Sec. 9. The fee for examination shall be fifteen dollars, for a certificate of registration, ten dollars, and for a certificate of exemption five dollars, to be paid to the treasurer of the board. The treasurer

shall quarterly, on the first day of February, May, August and November, make a report to the State treasurer of examinations given and certificates granted, and pay into the State treasury the money received by him therefor.

No. 189. Acts 1915.

An Act to Amend Section 11 of No. 152 of the Acts of 1908, Entitled "An Act Defining Optometry and Regulating the Practice Thereof."

It is hereby enacted by the General Assembly of the State of Vermont:

Section 1. Section 11 of No. 152 of the Acts of 1908 is hereby amended so as to read as follows:

Sec. 11. No person not a holder of a certificate of registration or exemption, duly issued and recorded, shall practice optometry within this State. No person shall falsely personate a registered optometrist, nor buy, sell or fraudulently obtain a certificate of registration or exemption issued to another. A person violating any of the provisions of this Act shall be fined not more than one hundred dollars, or be imprisoned in the house of correction not more than three months, or both in the discretion of the court, and shall be liable to any person injured thereby in a civil suit.

Approved February 20, 1915.

Acts of 1912.

No. 212. An Act to Amend Section 6 of No. 152 of the Acts of 1908 Relating to the Practice of Optometry.

It is hereby enacted by the General Assembly of the State of Vermont:

Section 1. Section 6 of No. 152 of the Acts of 1908 is hereby amended to read as follows:

Section 6. A person desiring to commence or continue the practice of optometry, after the first day of July, 1909, except as hereinafter provided, upon presentation of satisfactory evidence, that he is more than 21 years of age, of good moral character, has a preliminary education equivalent to at least two years in a high school, or has graduated from a recognized standard school of optometry maintaining a two years' course of study of at least six months in each year, shall take an examination before said board to determine his qualifications therefor, and if he passes such examination shall receive a certificate thereof, but a person who has been continuously engaged in the practice of optometry in this State for more than two years next prior to the passage of this Act, shall receive from said board a certificate of exemption from such examination which shall entitle him to practice optometry under this Act. A person entitled to a certificate of exemption as herein provided shall make application therefor and present the evidence to entitle him thereto on or before July 1, 1909, or he shall be deemed to have waived his right to such certificate.

Approved January 7, 1913.

MINNESOTA OPTOMETRY LAW.
1910.

5022. *Board of Optometry.*—The State Board of Optometry shall consist of five qualified optometrists appointed by the governor, each for the term of three years and until his successor qualifies, excepting

that the appointments for the term beginning January, 1910, two members shall be appointed for the term of three years, two members for the term of two years, and one member for the term of one year. Vacancies in such board shall be filled by like appointment for unexpired terms. They shall elect from among their number a president and a secretary, and may adopt a seal. For the purpose of examining applicants for certificates, the board shall meet at least once in each year at the seat of government, and may hold other meetings at its pleasure. Each member shall receive from the funds of the board five dollars a day for actual services, 3 cents a mile for necessary travel and for other necessary expenses of attending meetings, not to exceed two dollars and fifty cents a day. It may employ necessary assistants to aid in the enforcement of the provision of this subdivision, the attendant expenses of the employment of such attorney and assistants to be met from the funds of the board. The secretary shall keep a record of all proceedings including therein the name of every applicant for examination or registration, which records shall be open to public inspection.

5023. *Practice Defined. Registration.* The practice of optometry, within the meaning hereof, shall mean the employment of subjective and objective mechanical means to determine the accommodative and refractive states of the eye and the scope of its functions in general, and the adjustment, adaptation, and prescribing of lenses and other instrumentalities in aid of vision. It shall be unlawful for any person to engage therein without first procuring and filing for record a certificate of registration as a licensed optometrist pursuant to this subdivision.

5024. *Examination. Certificate.* Every person, not already a registered optometrist, desiring to practice as such, shall apply to the board for a certificate of registration. The board shall examine the applicant, and if he be found to possess the knowledge essential to the practice and is 21 years old, shall register him as a licensed optometrist and issue to him a certificate of such registration. The applicant shall pay to the board a fee of ten dollars before being examined and five dollars upon the issuance of the certificate. The board upon a hearing, of which the accused shall have ten days' written notice, may revoke the certificate of any person under conviction of crime, or shown to be grossly incompetent, afflicted with contagious or infectious disease, or guilty of habitual drunkenness for six months immediately preceding the accusation. After ninety days, upon application and proof that the disqualification has ceased, the board may reinstate such person.

5025. *Record and display of certificates.* The holder of every such certificate of registration shall file the same for record with the clerk of the district court in the county where he resides, and after record shall display it conspicuously at his place of business. Upon removal to another county, he shall there in like manner file his certificate before engaging in business therein. Such clerk's fee shall be fifty cents for recording, and one dollar for a certified copy. A failure on the part of the holder to comply with any of the foregoing provisions for six months after issuance of the certificate shall forfeit the same.

5026. *Annual fee.* Before April 1 in each year, every authorized optometrist shall pay to the board a fee of two dollars, in default of which the board, upon hearing and after twenty days' notice, may revoke the certificate of any optometrist so in default; but the payment of such fee at or before the time of hearing, with such additional sum, not exceeding five dollars, as may be fixed by the board, shall excuse the default. The board may collect such fee by suit.

5027. *Disposition of fees. Report.* All fees collected under this subdivision shall be received and held by the secretary and devoted to the uses of the board. The secretary shall give such bond as the board may from time to time require. Before the first Monday in January, annually, the board shall report to the governor its proceedings, and the items of its receipts and disbursements.

5028. *Exemptions. Penalties. Disposition of fines.* This subdivision shall not apply to authorized physicians and surgeons, not to vendors of spectacles and eyeglasses, who do not assume to adapt them to the eye. Every person who shall violate any of the provisions of this subdivision shall be guilty of a misdemeanor, the minimum punishment whereof shall be a fine of twenty dollars, or confinement in the county jail for thirty days. All fines collected shall be paid into the school fund of the county wherein the conviction is had.

NEW HAMPSHIRE OPTOMETRY LAW.

1911.

Be it enacted by the Senate and House of Representatives in general court convened:

Section 1. The governor, with the advice and consent of the council, shall appoint three skilled optometrists, one physician and one oculist of good repute residing and doing business in the state of New Hampshire, who shall constitute a board of registration in optometry; but no person shall be eligible to serve on said board unless he shall have been engaged in the practice of his profession for a period of not less than six years previous to his appointment. The term for which the members of said board shall hold their office shall be five years, except that one of the members of the board first to be appointed shall hold his office for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years and one for the term of five years, respectively, and until their successor shall be duly appointed and qualified. Any vacancy occurring in said board shall be filled by the governor in conformity with this section; and any member of the board may be removed from office for cause by the governor with the advice and consent of the council.

Sec. 2. The board shall choose from its number a president and secretary and it shall meet at least once in each year. Three of said board shall constitute a quorum.

Sec. 3. Optometry is hereby defined to be the employment of all means, other than the use of drugs or surgery, for the measurement of the powers of vision and the adaptation of lenses for the aid thereof.

Sec. 4. Within six months from the time this act takes effect it shall be the duty of every person who was at the time of the passage of this act engaged in the practice of optometry in this state to cause his name, residence and place of business to be registered with said

board, who shall keep a book for that purpose. The statements of every such person shall be verified under oath in such manner as may be prescribed by the board. Every person who shall so register with said board as a practitioner of optometry and shall prove to said board that he was so engaged shall receive a certificate to that effect and may continue to practice without incurring any of the liabilities or penalties provided in this act for the practicing of optometry without a certificate from said board.

Sec. 5. All persons not provided for in section 4 may appear before said board at any of its regular meetings and be examined with reference to their knowledge and skill in optometry, and the board shall issue to such persons as it, upon examination, shall find to possess the requisite qualifications a certificate to that effect.

Sec. 6. Every certificate issued by said board shall be numbered and recorded in a book kept in the office of said board, and its number shall be noted upon the certificate.

A photograph of the person registered shall be filed with the record and a duplicate thereof affixed to the certificate. In all legal proceedings the record and photograph so kept in the office of said board, or certified copies thereof, shall be prima facie evidence of the facts therein stated.

Sec. 7. The said board shall charge each person receiving a certificate of exemption the sum of ten dollars, and each person appearing before them for examination for a certificate of qualification a fee of twenty dollars, which, in case such certificate shall not be granted shall be returned. Any person failing to pass a satisfactory examination shall be entitled to be re-examined at any future meeting of the board. The board shall make an annual report of its proceedings to the governor by the thirty-first day of December in each year. All fees received by the board shall be paid annually by the secretary of the board into the treasury of the state.

Sec. 8. The compensation and all necessary expenses of the board shall be paid from the treasury of the state. The compensation of the board shall be five dollars each for every day actually spent in the discharge of their duties and, in addition, their necessary expenses in attending the meetings of the board. Such compensation and expenses shall be approved by the board and sent to the state treasurer, who shall certify to the governor and council the amounts due; provided that the amounts so paid shall not exceed the amount received by the treasurer from the board in fees as herein specified, and so much of said receipts as may be necessary is hereby appropriated for the compensation and expenses aforesaid.

Sec. 9. Every person to whom a certificate shall be granted by said board shall cause the same to be recorded in the office of the secretary of state, the fee for such record to be fifty cents; every person practicing optometry must also display his certificate of registration in a conspicuous place in the principal office or place of business wherein he practices optometry and, whenever required, exhibit such certificate to said board or its authorized representatives. And whenever practicing said profession of optometry outside of, or away from, said principal office or place of business, he shall deliver to each customer

or person so fitted with glasses a bill of purchase, which shall contain his signature, home postoffice address and the number of his certificate of registration, together with a specification of the lenses furnished and the price charged therefor.

Sec. 10. Said board shall have power to revoke any certificate granted by it under this act, the holder of which is guilty of any fraud or deceit in obtaining his certificate or in the practice of optometry, has been convicted of crime, is an habitual drunkard, or grossly incompetent to practice optometry. Proceedings for revocation of a certificate shall be begun by serving written charges upon the accused, which may be made by said board on its own motion or by any other person. Said board shall fix a time and place for the hearing of such charges, and a copy of the charges, together with a notice of the time and place when they will be heard and determined, shall be served upon the accused at least fourteen days before the date actually fixed for said hearing. Where personal service cannot be effected and such fact is certified on oath by person duly authorized to make legal service, the board shall cause to be published at least thirty days prior to the hearing, in two newspapers published in the county in which the accused was last known to practice, a notice to the effect that at a definite time, and place a hearing will be had by said board for the purpose of hearing charges against the accused upon an application to revoke his certificate. In case there are not two newspapers published in said county, then publication may be made in the newspapers nearest to the place of residence of the accused. Said board shall have the power to compel the attendance of witnesses and at said hearing the accused shall have the right to cross-examine the witnesses against him, to produce witnesses in his defense and to appear personally or by counsel. In case said board after such hearing shall revoke the certificate, they shall transmit to the secretary of state a certificate under the seal of said board certifying that such certificate has been revoked, and the secretary of state shall upon receipt of said certificate file the same and forthwith mark said certificate revoked. Any person who shall practice optometry after his certificate has been revoked shall be deemed to have practiced optometry without a certificate. Wherever the certificate of any person has been revoked said board may, after the expiration of one year, entertain an application for a new certificate, and upon such application they may, in their discretion, issue a new certificate.

Sec. 11. It shall be unlawful for any person not a holder of such a certificate duly issued to him and recorded as herein provided, after six months from the time this act takes effect, to practice optometry within this state. It shall be unlawful for any person to falsely personate a registered optometrist of a like or different name, or buy, sell or fraudulently obtain a certificate issued to another. It shall be unlawful for any one holding such a certificate under this act to administer drugs in any form, to practice or claim to practice medicine or surgery in any sense, or to use any title or appellation intended or calculated to indicate the practice of medicine or surgery. Practicing or offering to practice optometry, or the public representation of being qualified to practice the same by any person not authorized to practice

optometry shall be prima facie evidence of a violation of this act. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty nor more than two hundred dollars for each and every offense.

Sec. 12. Nothing in this act shall be construed to apply to physicians or surgeons authorized to practice medicine or surgery under the laws of this state, nor to persons who neither practice nor profess to practice optometry but who sell spectacles, eyeglasses or lenses either on prescription from such physicians or surgeons or from duly qualified optometrists, or as merchandise from permanently located and established places of business. The privilege to practice optometry without examination or payment of fees may be granted to registered optometrists from other states whenever said board of examiners shall give a certificate therefor, said certificate to be recorded, as herein provided, with reference to residents of this state, and said optometrists from other states shall otherwise be subject to all the provisions of this act.

Sec. 13. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Approved April 15, 1911.

OKLAHOMA OPTOMETRY LAW.

1911.

Be it enacted by the people of the State of Oklahoma:

Section 1. The practice of optometry is defined to be the employment of any means, other than the use of drugs, for the measurement of the powers of vision, and the adaptation of lenses for the aid thereof.

Sec. 2. The governor is hereby authorized and directed to appoint within thirty days after the passage of this act, a board of examiners in optometry. Such board shall consist of three persons who shall possess a sufficient knowledge of theoretical and practical optics to practice optometry and who shall have been residents of this state actually engaged in the practice of optometry for at least five years. The term of each member of said board shall be three years, or until his successor is appointed, and vacancies shall be filled for the unexpired term only, but in the original appointment of the members, one shall be appointed for the term of one year, one for two years and one for three years from July 1, 1911.

Sec. 3. Said board of examiners shall make such rules and regulations, not inconsistent with the laws, as may be necessary to the performance of its duties, and each member thereof may, upon being authorized by a majority of the board, administer oaths, or take testimony concerning any matter within the jurisdiction of the board. It shall organize by selecting one of its members as president and one as secretary and treasurer (the latter to give bond, approved by the governor), and shall meet at least twice a year, and at such place or places as it may select. A majority of the board present shall constitute a quorum, and its meetings shall at all times be open to the public.

Sec. 4. Every person desiring to commence or continue the practice of optometry later than six months after the passage of this act, except as hereinafter provided, upon presentation of satisfactory evi-

dence verified by oath, that he is more than 21 years of age and of good moral character, and has had a preliminary education equivalent to at least two years in high school, and has studied at least two years in a registered optometrist's office or is a graduate of a standard school of optometry, teaching a full course of optics, shall be examined by said board to determine his or her qualifications and such examination shall be confined to such as anatomy of the eyes, the use of ophthalmoscope, retinoscope and the use of trial lenses, the general laws of optics and refraction, as is essential to the practice of optometry. Every candidate, successfully passing such examination, shall be registered by said board as possessing the qualifications, required by this act and shall receive from said board a certificate thereof; but any person who shall submit to said board of examiners satisfactory proof as to his character, competency and qualifications, and that he has been continuously engaged in a permanent office in the practice of optometry in this state for more than two years next prior to the passage of this act, shall be entitled to receive from said board a certificate of exemption. Every person entitled to a certificate of exemption, as herein provided, must make application therefor, and present the evidence to entitle him thereto, within six months after the passage of this act, or he shall be deemed to have waived his rights to such a certificate.

Sec. 5. Said board shall have power to revoke any certificate of registration granted by it under this act, for conviction of crime, habitual drunkenness, for six months immediately before a charge to be made, gross incompetency, exorbitant charges, false representations of goods or contagious disease. Provided, that before any certificate shall be so revoked, the holder thereof shall have notice in writing of charges against him, and at a day specified in said notice at least ten days after the service thereof, be given a public hearing and have opportunity to produce testimony in his behalf and confront the witness against him. Any person whose certificate has been revoked may, after the expiration of ninety days, apply to have same regranted him upon a satisfactory showing that the disqualification has ceased.

Sec. 6. Every person to whom a certificate of either registration or exemption shall be issued shall immediately cause the same to be recorded in the clerk's office in the county of his residence, and principal office wherein he practices optometry. Every person practicing optometry must also display his certificate of registration or exemption in a conspicuous place, and whenever required such certificate to said board of examiners or its authorized representatives. Every person practicing optometry shall deliver to each customer or person so fitted with glasses, a bill of purchase which shall contain the price charged therefor, his signature, home and postoffice address and the number of his certificate of registration or exemption.

Sec. 7. The price for such examination shall be fifteen dollars (\$15.00); for a certificate of exemption, five dollars (\$5.00) and for a yearly license, one dollar (\$1.00). Such payment for a yearly license shall be made prior to the first of July, and in case of default of payment of such fee by any person, his certificate may be revoked by the board of examiners. From the fees so paid the board shall

cause to be paid all necessary expenses incurred in the administration of this act, including a reasonable compensation of the examiners for their service and necessary expenses; said fees of each examiner not to exceed \$5.00 per day, for each day engaged in the duties of this office, with actual expenses incurred by him in the discharge of such duties, and no other salary or other fees whatever shall be paid to any member thereof, except the secretary and treasurer, who shall receive a salary of \$100.00 per year in addition to his expenses and per diem as hereinbefore provided, such salary to be paid semi-annually; and it is further provided that the fees herein specified shall be paid out of the funds received by the board under the provisions of this act, and from no other source. And it is further provided that all moneys remaining in the hands of the treasurer of said board, in excess of one hundred dollars (\$100.00), shall be turned over to the state treasurer at the end of each fiscal year, to be applied to the common school fund.

Sec. 8. No person, not a holder of a certificate of registration or exemption, duly issued to him and recorded as above provided, shall, after the expiration of six months following the passage of this act, practice optometry in this state. No person shall falsely personate a registered optometrist of a like or different name, nor buy, sell or fraudulently obtain a certificate of registration or exemption issued to another. Practicing, or offering to practice optometry, or the public representation of being qualified to practice the same by any person not authorized to practice optometry, shall be sufficient evidence of the violation of this act. Any person who shall violate any of the provisions hereof shall be deemed guilty of a misdemeanor and upon conviction thereof for each offense shall be punished by a fine of not less than twenty-five dollars (\$25.00), nor more than one hundred dollars (\$100.00), or imprisonment in the county jail not less than thirty days, nor more than ninety days, or both such fine and imprisonment.

Sec. 9. Nothing in this act shall be construed to apply to duly licensed physicians, authorized to practice medicine under the laws of the State of Oklahoma, nor to persons who neither practice nor profess to practice optometry, who sell spectacles, eyeglasses or lenses, either on prescription from such physicians or from such qualified optometrists, or as merchandise from permanently located and established places of business.

Passed by the Senate, February 1, 1911.

MASSACHUSETTS OPTOMETRY LAW.

1912.

Be it enacted by the Senate and House of Representatives in general court assembled, and by authority of the same, as follows:

Section 1. The practice of optometry is defined to be the employment of any method or means other than the use of drugs for the measurement of the powers of vision and the adaptation of lenses for the aid thereof.

Sec. 2. There shall be a board of registration in optometry consisting of five persons, citizens of Massachusetts, three of whom shall have been actually engaged in the practice of optometry, as defined

In section 1 of this act, for the five years next preceding their appointment, and two of whom shall be oculists registered under the laws of the commonwealth governing the registration of physicians. No member of the board shall be a stockholder, a member of the faculty, or on the board of trustees of any school of optometry, or financially interested in a manufacturing or wholesale optical house. The governor, with the advice and consent of the council, shall, within thirty days after the passage of this act, appoint five persons to said board, one for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years, and one for the term of five years, who shall hold said office until their successors are appointed. Thereafter one member of the board shall annually, in the month of September, be appointed by the governor, with the advice and consent of the council, for the term of five years and until his successor is appointed. No member shall be eligible for reappointment. Vacancies in the board shall be filled by the governor, with the advice and consent of the council.

Sec. 3. The board shall meet on the second Tuesday of October in each year, at such time and place as it shall determine, and shall organize by electing a chairman and secretary, who shall be members of the board, and who shall hold their offices for the term of one year. The secretary shall give to the treasurer and receiver general a bond, with sufficient sureties, to be approved by the governor and council, for the faithful performance of his duties. The board shall annually hold regular meetings on the second Tuesday of February, June and November, and additional meetings at such times and places as it shall determine.

Sec. 4. The board shall keep a record of the names of all persons examined, registered or recorded hereunder, and of all moneys received and disbursed by it, and a duplicate thereof shall be open to inspection in the office of the secretary of the commonwealth. The fees received by the board shall be paid monthly by the secretary into the treasury of the commonwealth. The board shall annually, on or before the first day of January, make a report to the governor and council of the condition of optometry in this commonwealth, of all its official acts during the preceding year and of its receipts and disbursements.

Sec. 5. After October 1, 1912, except as otherwise provided in this section, no person shall practice optometry as defined in section 1 of this act, until he shall have passed an examination conducted by the board, in theoretic, practical and physiological optics, theoretic and practical optometry, and in the anatomy and physiology of the eye, and shall have been registered and shall have received a certificate of registration, which certificate shall have conspicuously printed upon its face the definition of optometry as defined in section 1. Every applicant for examination shall present satisfactory evidence, verified by oath, that he is over 21 years of age, of good moral character, has had a preliminary education equivalent to at least two years in a public high school, and has also studied the subjects herein prescribed for at least two years, or has graduated from a school of optometry maintaining a course of study of not less than two years; but any person actually engaged in the practice of optometry in this common-

wealth at the time of the passage of this act shall be entitled to take such examination merely upon proof satisfactory to the board that he is of good moral character. Any person who has been actually engaged in the practice of optometry in this commonwealth for the two years preceding the date of the passage of this act may continue in such practice for a further period of two years from the said date without taking the said examination and without the said certificate, provided that he shall, on or before said first day of October, file with the board an affidavit stating his name, usual place of business, and the date of his commencing such practice, the affidavit to be signed by a physician and two reputable merchants, certifying as to his character and business standing, and to be satisfactory to the board. The affidavit, if accepted, shall be recorded by the board. Any person whose affidavit has been so accepted and recorded and who is in actual practice shall, before the expiration of said period of two years, if he desires to continue in such practice thereafter, present himself before said board for examination, and if the board is satisfied of his competency to practice optometry, he shall be registered and receive a certificate as aforesaid. The original appointees to the board of registration shall be entitled to certificates of registration by virtue of their appointment, without examination. The fee for any examination shall be \$25.00, and those passing the examination shall receive the certificate of registration without additional charge except that any applicant who fails to pass a satisfactory examination shall be entitled free of charge to one re-examination after the expiration of three months, but for each subsequent examination a fee of \$5.00 shall be paid.

Sec. 6. Every person to whom a certificate of registration shall be granted shall immediately display his certificate in a conspicuous place in the principal office wherein he practices optometry, and shall, whenever so required, exhibit the certificate to said board or its authorized representative; and whenever practicing the said profession of optometry outside or away from said office or place of business, he shall deliver to each customer or person fitted with glasses by him a certificate which shall contain his signature, home postoffice address and the number of his certificate of registration or recorded number.

Sec. 7. Each member of the board shall receive \$10.00 for every day actually spent in the performance of his duties and his necessary traveling expenses actually incurred in attending the meetings of the board, not exceeding three cents a mile each way. Such compensation and traveling expenses and all other expenses incurred by the board under the provisions of this act shall be approved by the board, and paid by the commonwealth, but only to the amount paid over by the board. No money in excess of the amount so paid over shall be paid by the commonwealth for the said compensation or expenses.

Sec. 8. The board shall have the power to revoke any certificate of registration or the right of any recorded person to practice, or to suspend the same for fraud or deceit in practice or for conviction of crime, or for habitual drunkenness for six months immediately before the charges made, or for gross incompetency; provided, however, that before any action is taken the accused party shall have written notice of the charge or charges made against him, and a day to be

specified in the notice, to be at least five days after the service thereof, at which a public hearing is to be given, where the accused shall have an opportunity to produce testimony in his own behalf, and to confront the witnesses against him. Three of the members of the board shall be a quorum for any such hearing. Witnesses at hearings before the board shall testify under oath, and may be sworn by any member of the board. The board shall have power to compel the attendance of witnesses and the production of documents at any such hearing. Where the right of any person to practice has been revoked, as herein provided, the board may, after the expiration of one year, receive an application for a renewal of the right to practice, and upon such new application they may, in their discretion, grant such a renewal.

Sec. 9. Whoever after October 1, 1912, not being lawfully authorized to practice optometry as defined by section 1 of this act, holds himself out as a practitioner of optometry, or practices or attempts to practice optometry or attempts to determine by an examination of the eyes the kind of glasses needed by any person, or holds himself out as a registered optometrist when not so registered, or whoever impersonates another practitioner, or fails to deliver the certificate as provided in section 6 of this act, shall for each offense be punished by a fine of not less than \$50.00 nor more than \$200.00, or by imprisonment for a term not exceeding three months, or by both such fine and imprisonment.

Sec. 10. The provisions of this act, except in so far as providing that oculists shall serve upon the board, shall not apply to physicians and surgeons lawfully entitled to practice medicine in the commonwealth, nor to persons who neither practice nor profess to practice optometry, but sell spectacles or eyeglasses or lenses, either on prescription from such physicians, surgeons, or from optometrists lawfully entitled to practice in this commonwealth or as merchandise from permanently located and established places of business. But nothing herein contained shall be construed to prevent any such physician or surgeon from taking an examination and receiving a certificate of registration under the provisions of this act, nor shall this act be construed to authorize any person to administer drugs in any form, to practice or claim to practice medicine or surgery in any sense, or to use any title or appellation intended or calculated to indicate the practice of medicine or surgery.

CALIFORNIA OPTOMETRY LAW.

Senate Bill No. 297, Chapter 598.

Approved June 16, 1913.

The people of the State of California do enact as follows:

Section 1. It shall be unlawful for any person to engage in the practice of optometry or to display a sign or in any other way advertise or hold himself out as an optician or optometrist without having first obtained a certificate of registration from the state board of optometry as provided for in this act or under the provisions of a certain act entitled "An act to regulate the practice of optometry and for the appointment of a board of examiners in the matter of said regulation," approved March 20, 1903, and acts amendatory thereof.

Sec. 2. The practice of optometry is hereby defined to be the employment of any means other than the use of drugs for the measurement

of the powers or range of human vision or the determination of the accommodative and refractive states of the human eye or the scope of its functions in general or the adaptation of lenses or frames for the aid thereof.

Sec. 3. A board is hereby created to be known as the state board of optometry which shall consist of three members appointed by the governor. No person shall be eligible to appointment who is not a registered optometrist of the State of California and actually engaged in the practice of optometry at the time of such appointment. Each of the members shall hold office for a term of six years or until his successor is appointed and qualified and shall be so classified that one member of said board shall retire every two years. The present members of the California state board of examiners in optometry appointed under the provisions of the act in section number one hereof referred to, shall continue to serve and act as members of the state board of optometry, but under the provisions of this act during their respective terms or until their successors are appointed and qualified. No person shall be eligible to membership in the said state board of optometry who shall be a stockholder in, or owner of, or a member of the faculty of or of the board of trustees of any school of optometry or who shall be financially interested directly or indirectly in any concern manufacturing or dealing in optical supplies at wholesale. No member of the board shall be financially interested in any purchase or contract in which the board is interested. No member of the board shall be financially interested in the sale of any property or optical supplies to any prospective candidate for examination before the board.

Sec. 4. The powers and duties of the said state board of examiners in optometry shall be as follows:

1. To organize and elect from their members a president and secretary of said board who shall hold office for one year or until the election and qualification of a successor; to adopt and use a common seal, and establish a permanent office. The secretary of the said board before entering the discharge of his duties shall execute a good and sufficient bond to the State of California in the sum of one thousand dollars conditioned for the faithful performance of his duties as such secretary. He shall receive all fees and moneys paid to the board; keep all the records of the board and discharge such other duties as the board shall from time to time prescribe.

2. To make all necessary disbursements to carry out the provisions of this act, but only upon the signature of the president and secretary of the said board and only from the state optometry fund, including payment for the bond of the secretary of said board; payment for stationery supplies; necessary optical instruments to be used in the conduct of examinations which shall be the property of the state; the printing and circulating to all optometrists in the state, once a year, a year book containing the names and addresses of all optometrists in this state; a per diem of ten dollars for each member of the said board for each day actually spent in the performance of his duties as such, and mileage of five cents per mile for all distances necessarily traveled in going to and coming from the meetings of said board, in full compensation for all services; per diems shall not

exceed one for any calendar day, and shall not exceed two in any one calendar month, except that in months when examinations are being held per diems may be allowed for not to exceed six days in any such month. Additional compensation may be allowed the secretary not to exceed fifty dollars per month.

3. To employ agents, attorneys and inspectors to secure evidence of, report on, and prosecute to conviction all violations of this act and to employ other necessary assistants in the carrying out of the provisions of this act. No state officer shall be eligible to employment by the board.

4. To hold regular meetings at least twice a year at which an examination of applicants for certificates of registration shall be held at such places as the board shall from time to time designate and special meetings upon request of a majority of the members of said board or upon the call of the president.

5. To keep an accurate record of all the proceedings of the board and of all its meetings, of all receipts and disbursements with vouchers for all disbursements, and of all prosecutions for violations of this act, and of all examinations held for applicants for certificates of registration with the names and addresses of all persons taking examinations and their success or failure to pass such examinations. To keep an accurate inventory of all property of the board and of the state in the possession of the board and to obtain a receipt therefor from its successor. All the records of the board shall be public and shall be kept in the office of the board.

6. To visit and examine public schools wherein the science of optometry is taught in this state and accredit such public schools as shall have been found by such board to give a sufficient course of study for the preparation of optometrists.

7. To keep a register of optometrists which shall contain the names and addresses of all persons to whom certificates of registration have been issued in the State of California, together with the date of the issuance of such certificates and the place or places of business in which each optometrist is engaged, and all renewals, revocations and suspensions thereof.

8. To grant or refuse to grant certificates of resignation as herein provided and to revoke the certificate of registration of any optometrist for any of the causes specified in section eleven hereof.

9. To administer oaths and take testimony upon granting and revoking or suspending any certificate of registration.

10. To make rules for the procedure of the board and for the conduct and government of applicants for certificates of registration as optometrists not inconsistent with the provisions of this act.

11. To report to the governor annually on the first Monday in January in each year giving an accurate account of the work of the board during the preceding year with a statement of all moneys received and paid out pursuant to this act.

Sec. 5. Any person over the age of legal majority desiring to engage in the practice of optometry in this state may file an application duly verified by his oath for an examination before said board for a certificate of registration without examination as hereinafter provided,

such application to be filed with the secretary of said board at least two weeks prior to the date of any meeting at which an examination is to be held and shall set forth the following:

(a) The name, age and address of the applicant.

(b) The name of the optometry school attended, if any, and for what period of time such school was attended by the applicant.

(c) The previous experience, if any, of the applicant in the practice or in assisting in the practice of optometry.

(d) A statement of the previous examinations, if any, taken before the board and the dates of such examinations.

Such application shall be accompanied by a fee of \$20.00. In case an applicant for a certificate of registration has attended a public school of optometry, accredited as provided in section 4, subdivision 6 of this act, and shall accompany his application with a certificate from such accredited school acknowledged before an officer authorized to take acknowledgments, showing the applicant to have successfully completed one year's work in such school, the board shall issue to him a certificate entitling him to practice optometry in the State of California without examination.

Public schools within the meaning of this act are schools maintained as part of the public school system of the state by public funds, and furnishing free instruction, and none other.

Sec. 6. Examinations shall be held and given by the board at least twice a year at such time and place as the board may from time to time fix and designate at least one month prior to the date of such examination: provided, however, that one of such examinations shall be held in the city and county of San Francisco commencing with the third Monday in March of each year, and the other in the City of Los Angeles commencing with the third Monday of September of each year. At such examinations the board shall examine applicants in the anatomy of the eye, in normal and abnormal refractive and accommodative and muscular conditions and co-ordination of the eye, in subjective and objective optometry, including the fitting of glasses, the principles of lens grinding and frame adjusting, and in such other subjects as pertain to the science and practice of optometry, such subjects to be enumerated in publication by the board. In case of failure, the applicant shall be examined at the next examination only in the subjects in which he failed. All such applicants without discrimination, who shall satisfactorily pass such examination shall thereupon be registered in the board's register of optometrists and a certificate of registration shall be issued to them, under the seal and signature of the members of said board upon payment of a fee of five dollars. Such certificate shall continue in force until the first day of August in the year next succeeding.

Sec. 7. Before engaging in the practice of optometry it shall be the duty of each registered optometrist to notify the board in writing of the place or places where he is to engage or intends to engage in the practice of optometry and of any changes in his place of business, and any notice required to be given by the board to any registered optometrist may be given by mailing to such address through the United States mail, postpaid. Each registered optometrist shall annually on

or before the first day of August of each year pay to the secretary of said board a fee of two dollars for a renewal of his registration certificate and shall keep such certificate conspicuously posted in his office or place of business at all times; a period of thirty days' grace shall be allowed after the first of August, during which registration certificates may be renewed on payment of the fee of five dollars. Any registered optometrist who shall temporarily practice optometry outside or away from his regular registered place of business shall deliver to each customer or person there fitted or supplied with glasses a receipt, which shall contain his signature and show his permanent registered place of business and the number of his certificate, together with a specification of the lenses furnished and the amount charged therefor.

Sec. 8. All recipients of said certificate of registration shall present the same for filing to the clerk of the county in which they reside, and shall pay a fee of fifty cents to the clerk for recording the same. Said clerk shall record said certificate in a book to be provided by him for that purpose. Any person so licensed removing his residence from one county to another in this state, shall, before engaging in the practice of optometry in such other county, obtain from the clerk of the county in which said certificate of registration is recorded a certified copy of such certificate of registration, and shall before commencing practice in such county, file the same for record with the clerk of the county to which he removes and pay the clerk of said county for recording the same a fee of fifty cents. Any failure, neglect or refusal on the part of any person holding such certificate of registration, or certified copy of such certificate of registration to record the same as hereinabove provided, for six months after the issuance of said certificate of registration, or from the date of removal of residence shall *ipso facto* work the forfeiture of his certificate of registration, and it shall not be restored except upon the payment of twenty-five dollars to the California state board of examiners in optometry.

Sec. 9. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars nor more than two hundred and fifty dollars or by imprisonment for not less than one month or more than three months for the first offense, and for the second offense by a fine of not less than two hundred and fifty dollars nor more than one thousand dollars or by imprisonment in the county jail for not less than six months nor more than one year. All fines and forfeitures collected or received for violations of or in prosecutions under this act shall be paid one-half to the state treasurer for the benefit of the state optometry fund without demand and one-half to the school fund of the city or county where the prosecution is had. In any prosecution for a violation of section one hereof, the use of test cards, test lenses, or of trial frames shall be *prima facie* evidence of the practice of optometry. Trial frames and test lenses within the meaning of this act shall be any frame or lense used in testing the eye which is not sold and not for sale to customers.

Sec. 10. The provision of this act shall not be construed to prevent duly licensed physicians and surgeons from treating or fitting glasses to the human eye; nor to prohibit the sale of complete ready-to-wear

eyeglasses as merchandise from a permanent place of business in good faith and not in evasion of this act by any person not holding himself out as competent to examine and prescribe for the human eye.

Sec. 10½. It shall be unlawful for any person:

1. To sell or barter, or offer to sell or barter any certificate of registration issued by the state board of optometry; or

2. To purchase or procure by barter any such certificate of registration with intent to use the same as evidence of the holder's qualification to practice optometry; or

3. To alter with fraudulent intent in any material regard such certificate of registration; or

4. To use or attempt to use any such certificate of registration which has been purchased, fraudulently issued, counterfeited or materially altered as a valid certificate of registration; or

5. To practice optometry under a false or assumed name; or

6. To wilfully make any false statement in a material regard in an application for an examination before the state board of optometry or for a certificate of registration; or

7. To practice optometry in the State of California without having at the time of doing so a valid unrevoked certificate of registration as an optometrist; or

8. To advertise by displaying a sign or otherwise or hold himself out to be an optometrist or optician without having at the time of so doing a valid unrevoked certificate of registration from the said state board of optometry.

Sec. 11. Any person registered as provided for in this act may have his certificate of registration revoked or suspended for a fixed period by the state board of optometry for any of the following causes:

1. His conviction of a felony or misdemeanor involving a moral turpitude, in which case the record of conviction, or a certified copy thereof certified by the clerk of the court, or by the judge in whose court the conviction is had, shall be conclusive evidence of such conviction.

2. When his certificate of registration has been secured by fraud or deceit practiced upon the board.

3. For unprofessional conduct, or for gross ignorance or inefficiency in his profession. Unprofessional conduct shall mean employing what are known as "cappers" or "steerers" to obtain business; the obtaining of any fee by fraud or misrepresentation; employing, directly or indirectly any suspended or unlicensed optician or optometrist to perform any work covered by this act; the advertising of optical business or treatment or advice in which untruthful, improbable, or impossible statements are made; the use in advertising of the expression "eye specialist" in connection with the name of such optometrist, unless the person using the same is a regularly licensed physician and surgeon under the laws of this state; or habitual intemperance, or gross immorality, or shall permit another to use his certificate.

4. Who shall send a solicitor from house to house or who shall solicit from house to house.

5. When the holder is suffering from a contagious or infectious disease.

6. For any violation of the provisions of this act.

Sec. 12. Before any certificate shall be so revoked or suspended the holder thereof shall have notice in writing of the charge or charges against him and at a date specified in said notice at least five days after the service thereof be given a public hearing and have an opportunity to produce testimony in his favor, and to confront the witness against him.

The revocation or suspension of any license revoked or suspended for any of the above causes except those specified in one and two of section eleven may be set aside upon application of the person whose license has been revoked at any time within six months from the date of such revocation, upon proof being made to the satisfaction of said board that the cause of said revocation no longer exists and that the applicant has been sufficiently punished. Before setting aside the revocation of any certificate the board may in its discretion require the applicant to pass the regular examination given for applicants for certificates of registration.

Sec. 13. It shall be the duty of the secretary as soon as this act takes effect, to pay into the state treasury all moneys then in his possession or standing to the credit of the state board of optometry, and thereafter he shall, within ten days after the beginning of each month, report to the state comptroller all collections of fees and all other receipts for the preceding month, and at the same time he shall pay all such amounts into the state treasury. All such moneys shall be placed in a fund to be known as the state optometry fund, which fund is hereby created, and which shall be for the uses of the state board of optometry, claims thereon to be audited and paid in the usual manner. (An amount not to exceed three hundred dollars may be drawn from the fund herein created to be used as a revolving fund where cash advances are necessary; but expenditures from such revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demand therefor is made by the board of control or by the comptroller.)

Sec. 14. Any member of the board who shall appropriate, retain or use for his own private use any of the funds of the board shall be guilty of a felony.

Sec. 15. This act shall be known and may be cited as the optometry law.

Sec. 16. An act entitled "An act to regulate the practice of optometry and for the appointment of a board of examiners in the matter of said regulation," approved March 20, 1903, is hereby repealed.

MICHIGAN OPTOMETRY LAW.

Act 71, Public Acts 1909, as Amended by Act 147, Public Acts 1913.

An Act to amend Sections 1, 3, 5, 6 and 8 of No. 71 of the Public Acts of 1909, entitled "An Act to provide for the examination, regulation, licensing and registration of optometrists practicing optometry, and for the punishment of offenders against this act," approved May 6, 1909.

The people of the state of Michigan enact: Section 1. Sections 1, 3, 5, 6 and 8 of Act No. 71 of the Public Acts of 1909, entitled "An Act to provide for the examination, regulation, licensing and registration

of optometrists practicing optometry and for the punishment of offenders against this act," are hereby amended to read as follows:

Section 1. The governor shall appoint, on or before November 1st, 1909, five electors of the state who shall constitute a board of examiners in optometry. All persons so appointed shall have been actively engaged in the practice of optometry in harmony with Sections 7 and 8 of this act for at least five years preceding the time of such appointment. The secretary and treasurer of said board shall furnish to the governor annually and whenever requested to do so, a complete and correct list of the registered optometrists under the provisions of this act, and the appointments of the members of said board shall at all times be made from the list of registered optometrists so furnished to the governor. The persons so appointed shall hold office respectively, two for six years, two for four years and one for two years, beginning with the first day of November, 1909, and thereafter the governor shall appoint, before the first day of November of each biennial period, such number of persons as there are terms expiring qualified as aforesaid to hold the office, for six years from the first day of November next ensuing. The governor shall also fill vacancies occasioned by death or otherwise, and may remove any member for the continued neglect of the duties required by this act. Vacancies in said board shall be filled in accordance with the provisions of this act for the appointment of the original board, and any person appointed to fill a vacancy shall hold office during the unexpired term of the member whose place he fills. No member of any optical school or college or an instructor in optometry or connected in any way therewith, nor any person connected with any manufacturing, wholesale or jobbing house of optical supplies or instruments used by optometrists shall be eligible to an appointment upon said board. The business of said board shall be transacted by and receive the concurrent vote of at least three members.

Sec. 2. The members of said board shall meet at least twice a year and at such other times as shall be deemed necessary, and at such place or places as may be selected. At the first meeting the board shall organize by selecting one of its members as president, and one as secretary and treasurer, each of whom shall hold his respective office for two years and shall have the power to administer oaths concerning any matter within the jurisdiction of said board. The said treasurer shall give his bond to the people of the state of Michigan, with two or more sureties, to be approved by the other members of said board and the governor, in the penal sum of \$1,000, or in such larger sum as said board or the governor may require, conditioned for the faithful discharge of the duties required of him by law, and to account for and pay over as required by law, all moneys received by him as such treasurer.

Sec. 3. After January 1st, 1910, all men and women engaged in the practice of optometry or who wish to begin the practice of the same in this state, shall make application to said board to be registered and for a certificate of said registration. Such registration and certificate shall be granted to such applicants, but only upon compliance with at

least one of the following conditions contained in subdivisions 1 and 2 of this section:

(1) The applicant shall be registered and given a certificate of registration if he shall present a certified copy or certificate of registration or license which has been issued to said applicant by any other state, where the requirement for registration shall be deemed by said board to be equivalent to those of this act; provided, that such state shall accord a like privilege to holders of certificates of said board. The fee for registering such applicants shall be five dollars.

(2) From and after the first day of May, 1910, any applicant for registration under this act shall be required to pass an examination as hereinafter provided. Such applicant shall be twenty-one years of age, of good moral character, and shall be possessed of an education equal to a four years' high school course, Michigan standard; provided, that should the applicant be unable to prove four years' actual attendance at a high school, then the board may determine the applicant's qualifications by proper examination, the expense of which shall not exceed five dollars, the same to be paid by the applicant. The applicant shall have been employed in the office of an optometrist registered under this act, as an assistant, for a period of not less than two years, or shall be a graduate of an optical school or college approved by this board, requiring an attendance of not less than one year's course. The said board shall examine all applicants shown to have the necessary qualifications as above set forth in normal and abnormal refractive, accommodative and muscular conditions and co-ordination of the eye, and subjective and objective optometry including the fitting of glasses, the principles of lens grinding, frame adjusting and such other subjects as may be deemed necessary by said board to determine the applicant's qualifications to practice optometry. The examination shall be deemed satisfactorily passed and the applicant registered and given a certificate of registration if he shall attain an average standing of not less than seventy-five per cent on all subjects submitted. The fee for applicants of this class shall be fifteen dollars examination fee and five dollars registration fee; provided, that in addition to the fees hereinbefore provided for, every registered optometrist shall, at the time of his registration and prior to the first day of May in each and every year thereafter, pay to the said board of examiners the sum of two dollars as a license fee for such year. Provided, further, that in default of the payment of such fee by any optometrist his certificate may be revoked by the said board after thirty days' notice of such default shall have been mailed by said board to the person so in default.

Sec. 4. The board of examiners in optometry shall refuse to issue the certificate of registration provided for in this act to any person who shall have been guilty of grossly unprofessional and dishonest conduct of a character likely to deceive the public; and said board, after due notice and hearing, may revoke the certificate issued to any optometrist who shall have become addicted to the drug habit, or who is an habitual drunkard, or whose certificate of registration was obtained or issued through error, fraud or perjury; or who shall be

guilty of an offense involving moral turpitude, when such offense shall have been established in a court of competent jurisdiction.

Sec. 5. Every person to whom a certificate of registration shall be issued shall immediately thereafter cause the same to be recorded in the office of the county clerk of the county in which the person principally carries on the practice of optometry, for which recording the county clerk shall receive a fee of fifty cents. Every registered optometrist shall display his certificate of registration in a conspicuous place in the principal office wherein he practices optometry, and whenever required to, shall exhibit such certificate to the said board or its representatives, and whenever practicing the said profession of optometry outside or away from his said principal office or place of business, he shall deliver to each customer or person so fitted with glasses a memorandum of purchase, which shall contain his signature, home and postoffice address and the number of his certificate of registration. Whenever the certificate of any registered optometrist is revoked, it shall be the duty of the secretary and treasurer of said board to notify the county clerk of the county in which said registered optometrist is legally registered, notifying him of the revocation of said certificate, and it shall be the duty of such county clerk to make a proper entry upon the records of his office showing such revocation.

Sec. 6. From the fees paid to said board, the said board shall cause to be paid all necessary expenses incurred in the administration of this act, including reasonable compensation of the examiners for their services, which compensation to each examiner shall not exceed eight dollars per day for each day actually engaged in the duties of his office, and the necessary actual expenses incurred by him in the discharge of such duties, and no salary or other fees whatever shall be paid any member thereof except the secretary and treasurer. The salary of the secretary and treasurer shall be fixed by the board biennially at the meeting by which said board shall organize. Provided, that all compensation and expenses of the members of said board or made necessary for the carrying out of the provisions of this act shall be paid out of the fees received by said board under the provisions of this act from applicants, and from no other fund or source whatsoever. Provided, further that all moneys in excess of actual requirements as hereinbefore specified, shall be paid annually to the state treasurer and be placed to the credit of the general fund.

Sec. 7. The practice of optometry is hereby defined to be the employment of any means other than the use of drugs for the measurement of the powers of vision and the determination of the accommodative and refractive states of the eye and the scope of its functions in general, and the adaptation of lenses and frames for the aid thereof; provided, that the provisions of this act shall not be considered to apply to physicians and surgeons duly licensed to practice medicine under the laws of this state, nor to prevent persons from selling spectacles or eyeglasses on prescription from any duly qualified optometrist or physician, nor to prevent any person or persons selling glasses as an article of merchandise and not trafficking or attempting to traffic upon assumed skill.

Sec. 8. It shall be unlawful for any person, registered under this

act to use, prescribe, give away, sell, offer for sale, or have in his possession for the purpose of sale, any eye remedies, lotions, salves or medicines of any kind or description, practice medicine or surgery within the provisions of Act No. 237 of the Public Acts of 1899, or acts amendatory thereto, or use the prefix Dr. or any title or appellation used in a sense to indicate the practice of medicine. It shall also be unlawful for any person not a registered optometrist under the provisions of this act to hold himself out by the use of any sign, newspaper advertisement, pamphlet, circular or the use of any sign "eyes tested here" or similar words, as qualified to practice optometry. Any person making a sworn statement or affidavit in connection with any matter relating to this act proven to be false, shall be deemed guilty of perjury and upon conviction thereof shall be punished as provided in Sec. 9 of this act.

Sec. 9. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars or imprisonment in the county jail not to exceed thirty days, or by both such fine and imprisonment in the discretion of the court.

OPTOMETRY LAW FOR INDIANA.

Acts 1907, as Amended March 15, 1913.

Be it enacted by the General Assembly of the state of Indiana, that there be and is hereby created a board which shall be known as the Indiana state board of registration and examination in optometry, whose duty it shall be to carry out the provisions of this act. Said board shall consist of five members, four of whom shall have been resident optometrists, licensed under this act, engaged in the actual practice of optometry in the state of Indiana for a period of five (5) years prior to their appointment; and the fifth an oculist who in like manner has been engaged in the practice of his profession for five (5) years prior to his appointment; not more than three of whom shall belong to the same political party. The appointments to this board shall be made by the governor within thirty (30) days after this law goes into effect. Of those appointed two shall serve for one (1) year, one for two (2) years, and the other two for three (3) years. The successors of all shall serve for a term of three (3) years each, and each shall hold his office until his successors be appointed. Appointment to fill vacancies from any cause shall be made by the governor for the residue of such term. The members of the board, before entering on their duties, shall each take and subscribe to the oath required to be taken by other state officers, which shall be administered by the secretary of the state and filed in his office; and said board shall have a common seal. Any member of said board may be removed by the governor for cause.

Sec. 2. Said board shall meet at Indianapolis, Indiana.

Sec. 4. That the practice of optometry be defined as follows: The employment of any means other than the use of drugs, for the measurement of the powers of vision, and the adaptation of lenses for the aid thereof.

Sec. 7. *Three Years in Practice. Certificate. Fee.* Every person who has been engaged in the actual and continuous practice of op-

tometry as defined by section 4, in the state of Indiana, for three (3) years immediately prior to the time of the passage of this act shall within ninety (90) days thereafter file affidavit in satisfactory proof thereof with said board, which shall make and keep a record of such persons, and shall in the consideration in (of) the sum of five (\$5.00) dollars issue to him a certificate of registration.

Sec. 8. All persons entitled to a certificate of registration under the provisions of section 7 of this act shall be exempt from the provisions of section 3.

Sec. 9. Every person receiving a certificate under the provisions of this act shall present the same for record to the clerk of the circuit court in the county in which he intends to practice, and shall pay to such clerk fifty (50) cents for recording the same, which certificate shall be recorded by the clerk in a record to be provided by him for that purpose.

Sec. 10. In case of change of residence from one county to another in this state, the holder of an optometrist's license shall obtain a new license in the county where he proposes to reside by filing with the clerk of the circuit court the license obtained by him in the county in which he last resided, in the same manner as provided for on the presentation of his certificate from the state board of registration and examination in optometry, and the clerk shall issue him a new license. It shall be the duty of said clerk to at once notify the state board of registration and examination of the surrender of said old license, and of the issuance of said new license.

Sec. 15. All moneys received over and above said per diem, allowance and expenses, as above provided for, shall be held by the treasurer as a special fund for meeting expenditures of said board, and carrying out the provisions of this act, and said board is expressly authorized to use said funds for the purpose of prosecuting any person violating any of the provisions of this act.

Sec. 16. Every registered optician shall in every year after 1907 pay to the said board of examiners the sum of two (\$2.00) dollars as a license fee for such year. Such payment shall be made prior to the first day of April in each and every year, and in case of default in such payment by any person his certificate may be revoked by the board of examiners.

Sec. 17. Said board may refuse to grant a certificate to any person, who is grossly incompetent, guilty of felony, or gross immorality, habitual drunkenness, or afflicted with contagious or infectious disease; and may, after notice and hearing, revoke a certificate and any license which may have been granted thereon for like cause. An appeal may be taken from the action of the board to the circuit or superior court of the county in which the certificate was refused or revoked by the board, upon applicant giving a good and satisfactory bond to be approved by the court, to secure the costs of such an appeal, should the appeal be determined against him.

Sec. 19. *Penalty.* Any person who shall hereafter engage in the practice of optometry in this state, without first having obtained a certificate of registration from the board created by this act, or who shall in any other manner violate any of the provisions of this act,

shall be deemed guilty of a misdemeanor, and upon conviction may be fined in any sum not less than twenty-five (\$25.00) dollars, nor more than two hundred (\$200.00) dollars.

In other respects the Indiana Optometry Law is similar to the Maine Optometry Law.

COLORADO OPTOMETRY LAW.

1913.

Be it Enacted by the General Assembly of the State of Colorado:

Section 1. That from and after a period of ninety (90) days after this act takes effect, no person shall practice optometry in this state unless he or she shall have first obtained a certificate of competency as herein provided.

Sec. 2. That the practice of optometry is hereby defined to be the employment of any means other than the use of drugs, for the measurement of the powers of vision and the adaptation of lenses and prisms for the aid thereof.

Sec. 3. That every person desiring to enter upon the practice of optometry as herein defined, or any of the branches thereof, shall, except as herein otherwise provided, present to the state board of optometric examiners, as hereinafter constituted, an application for a certificate of competency to practice optometry in this state, together with a diploma from an optometric or optical college in good standing, said standing to be determined by said board, or evidence of study and practice of optometry of not less than three (3) years, and shall also pass an examination before said board and satisfactory to it, in theoretic, practical and physiological optics, theoretical and practical optometry and anatomy and physiology of the eye, together with such other subjects as said board may prescribe, provided that such applicant shall also satisfy said board that he or she is over twenty-one (21) years of age, of good moral character and possesses at least a fair primary education. If said diploma or other evidence and examination are satisfactory to said board it shall issue to the applicant a certificate of competency in accordance with the facts, which certificate shall entitle the holder thereof to practice optometry in this state, but not as an itinerant optometrist.

Said board shall charge and receive from all applicants for examination hereinbefore mentioned a fee of twenty-five (25) dollars, provided that in the event a certificate is granted to such applicant it shall be without additional charge, and provided that if such applicant shall fail to receive such certification, he or she shall be entitled to receive another examination, before said board, on the next date on which it shall hold examination, free of charge, or at any other subsequent date at a charge of not more than five (5) dollars.

Sec. 4. That every person practicing optometry in this state at the passage of this act, and who has been in the practice of optometry in this state for a period of two (2) years or more, prior to the passage of this act, and who desires to continue such practice, shall on or before ninety (90) days after this law takes effect, register with the secretary of the board of optometric examiners, as hereafter constituted, giving his or her name, age, place or places of business, place or places during which and at which he or she has practiced optometry,

and the length of time of such practice verified by an affidavit taken before said secretary or before any officer in this state authorized to take affidavits, and then appear in person at the discretion of the hereinafter constituted board of optometric examiners and take such a practical test or examination as will prove, to the satisfaction of said board, the applicant's fitness for the continuance of the practice of optometry in this state. The fee of such registry and examination shall not be more than the sum of five (5) dollars, and shall be paid by the applicant at the same time he or she files application for registry. Said board, if satisfied of the applicant's competency shall direct the secretary to issue to the party so registering a certificate, setting forth the acts mentioned in said application for registry and affidavit, which certificate shall entitle the holder to continue in the practice of optometry in this state but not as an itinerant optometrist.

Sec. 5. That every person practicing optometry in this state at the time of the passage of this act, who fails to register with the secretary of said board as provided by section 4 of this act, within the time therein specified, or thereafter, to establish his competency within six (6) months after his resignation, shall not be entitled to a certificate as therein provided, but shall be required to qualify as prescribed in section 3 of this act.

Sec. 6. That every person to whom a certificate of competency to practice optometry shall be granted by said board, shall immediately display the same in a conspicuous place in his or her principal office or place of business wherein he or she practices optometry, and, whenever required, shall exhibit the same to any member of said board, or its authorized representative, and, whenever practicing said profession outside or away from said office, shall deliver to each customer or person served a receipt or statement containing his name, postoffice address and the number of his certificate and date thereof.

Every person receiving a certificate from said board to practice optometry in this state, shall before he or she commences such practice, file with the county clerk of the county in which he or she proposes to practice, the date and number of their certificate with their name, place of business and residence. The fee for such filing shall be fifty cents, paid by applicant at the time of filing.

Sec. 7. That the board of optometric examiners herein provided for shall consist of five optometrists to be appointed by the governor, each of whom shall be a citizen of the state of Colorado and each of whom shall have been actually engaged in the practice of optometry as herein defined for the five years next preceding his appointment, and each of whom except the first appointments shall have received prior to his appointment a certificate of competency as herein provided for. The first appointment shall be made from the membership of the Colorado State Optical Society. No licensed physician shall be eligible for appointment on said board. The members of said board first appointed by virtue of their appointment by the governor, shall be entitled to certificates of competency conferring the right to continue in the practice of optometry in this state, and such certificates shall be issued to said board free of all charges. Any three members of said board shall constitute a quorum for the purpose of holding ex-

aminations, granting certificates, or transacting any business connected with said board.

Sec. 8. That within thirty (30) days after their appointment, the first state board of optometric examiners shall meet in the city and county of Denver and organize; they shall at said first meeting elect one of their number as president, another as vice-president and another as secretary, who shall serve for one year, or until their successors are elected and qualified, which election shall be on a date to be fixed by said board at its first meeting and which date shall not be more than twelve (12) months from said first meeting. Said board shall further name one of its members to serve for the term of one year; one for the term of three years; one for the term of four years, and one for the term of five years, deciding by lot or agreement among themselves as to their respective terms. Said board shall report to the governor of this state within thirty (30) days of said first meeting, the names of the respective members and the terms of office selected or allotted to them, and at the expiration of said terms each new member shall be appointed by the governor for the full term of five (5) years.

Said board shall have power and authority to make and adopt rules, regulations and by-laws and define the powers of the officers not in conflict with this act, for its proper management and government; and said board shall adopt a seal which shall be affixed to all official papers and certificates of said board, and to employ such clerical and other assistance or help as it may deem necessary. The said board shall have power to grant certificates of competency to practice optometry to those qualified therefor as herein provided, and to refuse to grant such certificates to those not so qualified.

The president and secretary of said board shall be authorized to administer oaths in any matters pertaining to the duties of said board, or any matter connected therewith, and shall have authority to hear and take evidence concerning all matters coming before the board. Any false oaths taken before the president or secretary of the board shall be punished as perjury as denounced by existing future laws.

Sec. 9. That said board shall hold at least two meetings each year in the city and county of Denver, in the months of April and October, the exact date to be fixed by the board and published once in two daily newspapers and notice sent to all applicants for examination.

Sec. 10. That all fees and charges of said board shall be paid to the secretary, who shall deposit same as often as required by law with the state treasurer, and the state treasurer shall place all moneys so received in a special fund to be known as the fund of the state board of optometric examiners, and shall pay the same out on warrants drawn by the auditor of state therefor, upon vouchers issued and signed by the president and secretary of said board. Said moneys so received and placed in said fund may be used by said board in defraying their expenses in carrying out the provisions of this act. Any balance in said fund at the end of any biennial period shall revert to the general fund. That each member of said board shall be entitled to five (5) dollars per day for each and every day actually spent in attendance on said board's business together with his necessary travel-

ing expenses, payable from the fund of the state board of optometric examiners.

Said board shall make a return to the governor of this state at least once a year, giving in detail a statement of the receipts and expenditures of said board. Said statement to be verified by the oaths of the president and secretary.

Sec. 11. That said board shall have the right to revoke any certificates of competency to practice optometry, for fraud or deceit in the practice of his or her profession on the part of any holder thereof, for conviction of crime, for habitual drunkenness for at least six (6) months preceding such charge, or for incompetency, provided that before any such person is suspended or removed, or his or her certificate is revoked, that he or she be entitled to a public trial with the right of witnesses. At all trials three (3) members of said board shall constitute a quorum and a majority of said board's vote shall be necessary to suspend, remove or revoke.

Whenever the right of any person to practice optometry has been suspended or revoked, the said board shall, in their discretion, be authorized to receive an application to reinstatement, provided the applicant shall possess the qualifications prescribed in section 3 of this act.

Sec. 12. That it shall be unlawful for any person holding a certificate of competency to practice optometry in this state to become an itinerant practitioner without first having received a license from the said board to engage in such practice in this state.

Sec. 13. That the state board of optometric examiners shall have the power to issue to persons holding a certificate of competency a license to become itinerant practitioners upon the payment of a fee of two (2) dollars per year. No fraction of a year's license shall be granted.

The itinerant practitioner of optometry shall be defined as a person, either principal or agent, who engages in a temporary or transient practice in this state, either in one locality or traveling about the country or from place to place, or from house to house, soliciting in person or by advertisement patrons for optometry services.

Sec. 14. That whoever, not being authorized to practice optometry in this state as herein provided for, holds himself out as an optometrist or practitioner of optometry as herein defined, or practices or attempts to practice optometry or holds himself out as a qualified optometrist when not so qualified, or who impersonates a qualified and registered optometrist, or advertises or claims to be able to correct optical defects of the eye, whether for pay or otherwise, or who practices optometry as an itinerant, or attempts so to do without being licensed so to do as herein provided, or who in any other manner violates any of the provisions hereof, shall be guilty of a misdemeanor and shall, for each offense, be punished by a fine of not less than fifty (50) dollars or more than three hundred (300) dollars, or by an imprisonment in the county jail for not less than one month, or more than three months, or both in the discretion of the court.

Said board of optometric examiners, through its proper officer, may cause to be issued by any competent court, a writ of injunction directed to and forbidding and restraining any person, firm or corpora-

tion from practicing optometry in any of its branches as herein defined, until such person, firm or corporation shall have obtained the certificate herein provided for, or from violating any of the provisions hereof.

Sec. 15. That nothing in this act shall be construed to apply to physicians and surgeons lawfully entitled to practice medicine in this state, nor to persons who neither practice nor profess to practice optometry, but who sell spectacles and eyeglasses as articles of merchandise; nor to opticians who make and sell lenses, spectacles and eyeglasses on prescription of such physicians and surgeons or of duly qualified optometrists nor shall anything in this act be construed to give any person holding a license under this act the right to attach the title of M. D., surgeon, doctor, physician, eye specialist, doctor of optics, doctor of refraction, doctor of ophthalmology, doctor of optometry or any word or abbreviation to his name indicating that he is engaged in the treatment or diagnosis of the diseases or injuries of the human eye, nor to use drugs or medicines in any form for the treatment or examination of the human eye.

Sec. 16. That besides and in addition to the report provided by section 10 of this act, to be made to the governor annually, the said board shall upon request transmit to the governor annually and to the general assembly at each of its regular meetings, a complete record of all of its proceedings, together with its recommendations for the improvement of the profession of optometry and the names and addresses of all registered optometrists as shown by its books.

Sec. 17. That all acts and parts in conflict or inconsistent with any of the provisions of this act be and the same are hereby repealed.

NEVADA OPTOMETRY LAW.

1913.

Regulating Practice of Optometry.

Section 1. Any person shall be deemed to be practicing optometry within the meaning of this act who shall display a sign, or in any way advertise him or herself as an optician or optometrist, or who shall employ any means for the measurement of the powers of vision, or the adaptation of lenses for the aid thereof, or who shall, in the sale of spectacles or eyeglasses or lenses use, in the testing of the eyes therefor, lenses other than the lenses actually sold.

Certificate Necessary to Practice.

Sec. 2. It shall be unlawful for any person to engage in the practice of optometry in the state of Nevada unless such person shall have obtained a certificate of registration from the Nevada state board of examiners in optometry, as hereinafter provided.

Creation of Nevada State Board of Examiners in Optometry.

Sec. 3. Same as section 3 in Delaware Optometry Law except that the members hold office for a term of three years, one member of the board to retire every year.

Composition of the Board—Meetings.

Sec. 4. Same as section 4 in Delaware Optometry Law.

Examination by Board—Fees.

Sec. 5. Every person, before beginning to practice optometry in this state, after the passage of this act, shall pass an examination before

the said board of examiners. Such examination shall be confined to such knowledge as said board deems essential to the practice of optometry. Examinations shall be given by the board at least two times in each year, the first examination to be given on the first Monday in May and to be held in Reno, Nevada; the second examination to begin on the second Monday in October and to be held in Reno, Nevada, and at such other times as the board may deem necessary. Any person desiring to be examined by said board must fill out and swear to an application furnished by the board, and must file same with the secretary of said board at least two weeks prior to the holding of an examination, which the applicant is desirous of taking. Each applicant on making application shall pay to the secretary of the board a fee of twenty-five dollars, which shall be for the use of said board. All persons successfully passing such examination shall be registered in the board register, which shall be kept by said secretary, as licensed to practice optometry, and shall receive a certificate of such registration, to be signed by the president and secretary of said board, upon the payment to the secretary of said board of the additional sum of \$5.00, which sum shall be for the use of said board.

All Practitioners in Optometry Must Pass Examination.

Sec. 6. Every person who is actually engaged in the practice of optometry in the state of Nevada, at the time of the passage of this act, and who desires to continue the practice of the same in this state, shall, within three months thereafter, submit themselves to the provisions of section 5, and take the examination therein required, and if found qualified, the board shall, in consideration of the sum of \$5.00, issue to him or her a certificate of registration.

Entitled to Practice.

Sec. 7. All persons receiving a certificate of registration under the provision of section 6 shall be thereafter entitled to practice, subject to the provisions of this act.

Various Fees for Recording Certificates.

Sec. 8. All recipients of said certificates of registration shall present the same for filing to the clerk of the county in which they reside, and shall pay a fee of one dollar to the clerk for recording the same. Said clerk shall record said certificate in a book to be provided by him for that purpose. Any person so licensed who travels from one county to another in this state shall, before engaging in the practice of optometry in such other county, present his or her certificate of registration to the county clerk of such county for record, and the county clerk of such county shall receive a fee of one dollar for recording said certificate. Any failure, neglect or refusal on the part of any person holding such certificate of registration, or certified copy of such registration, to record the same, as hereinbefore provided, for three months after the issuance of said certificate of registration, shall ipso facto work the forfeiture of his or her certificate of registration, and it shall not be restored except upon the payment of \$25.00 to the Nevada state board of examiners in optometry.

Limit of Examinations—Alternative.

Sec. 9. Any person entitled to the provisions of section 6 of this act who shall fail to take the examination therein required, within three

months after the passage and approval of this act, shall thereafter be required to pass the examination and pay the fee as set forth in section 5 of this act.

Certificate Must be Displayed.

Sec. 10. Similar to section 10 of the Delaware Optometry Law.

Expenses of State Board, How Paid.

Sec. 11. Similar to section 11 of the Delaware Optometry Law except that the mileage is three cents per mile for all distance necessarily traveled in going to and coming from the meetings of the board.

Annual Fee Paid by Optometrists.

Sec. 12. Every reistered optometrist who desires to continue the practice of optometry in this state shall annually, on or before the first day of May of each year, pay to the secretary of said board a registration fee to be fixed by the board, and which in no case shall exceed the sum of two dollars per annum, for which he or she shall receive a renewal of such registration, and in case of the default of such payment by any person, his or she certificate shall be revoked by the board of examiners, on twenty days' notice in writing by the secretary of the time and place of considering such revocation, and the deposit of said notice in the United States postoffice, addressed to the person at his or her last known place of residence or business, and the postage prepaid thereon, shall be due and legal service thereon, but no certificate shall be revoked for such non-payment if the person notified shall pay before or at the time of considering said revocation, his or her fee and such penalty as may be imposed by said board; provided, that said board may impose a penalty not exceeding \$10.00 upon persons so notified as a condition for allowing certificates to stand valid. Any persn whose certificate of registration has been revoked for failure to pay his renewal fee, as herein provided, may apply to have the same regranted and the same shall be regranted to him or her upon his or her paying to the board all renewal fees that should have been paid had the certificate of registration not been revoked, together with a penalty of \$25.00.

Certificate May be Revoked—Causes for Revocation.

Sec. 13. Any person registered as provided in this act may have his or her certificate of registration revoked or suspended by the Nevada state board of examiners in optometry for any of the following reasons:

1. His or her conviction of a felony or misdemeanor involving moral turpitude, in which case the record of conviction, or certified copy thereof by the clerk of the court, or by the judge in whose court the conviction is had, shall be conclusive evidence.

2. When his or her certificate has been secured by fraud practiced upon the board.

3. For unprofessional conduct, or for gross ignorance or inefficiency in the profession. Unprofessional conduct shall mean employing what is known as "cappers," or "steerers," to obtain business; the obtaining of any fee by fraud or misrepresentation; employing, directly or indirectly, any suspended or unlicensed optician or optometrist to perform any work covered by this act; the advertising of optical business or treatment or advice in which untruthful or impossible statements are made; or habitual intemperance or gross immorality.

4. When the holder is suffering from a contagious or infectious disease.

Provided, however, that before any certificate shall be revoked or suspended the holder shall have notice in writing of the charge or charges against him or her, and at a date specified in said notice, at least five days after the service thereof, be given a public hearing, and have an opportunity to produce testimony in his or her favor, and to confront the witnesses against him or her. Any person whose certificate has been suspended may, after the expiration of ninety days, apply to have the same regranted, and the same shall be re-granted him or her upon satisfactory showing that the disqualification has ceased.

Penalties for Violation of This Act.

Sec. 14. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than \$50.00 nor more than \$200.00, or shall be confined not less than one month nor more than three months in the county jail, and in default of payment of said fine, shall be imprisoned in the county jail at the rate of one day for every \$2.00 of the fine imposed, and all fines thus received shall be paid to the secretary of the board for the purpose of enforcing this act.

Peace Officers to Act.

Sec. 15. Similar to section 15 of the Delaware Optometry Law.

Act Does Not Apply in Certain Cases.

Sec. 16. Nothing in this act shall be construed to apply to persons licensed to practice medicine in this state or to give any person the right to attach the title M. D., surgeon, doctor, physician, oculist, ophthalmologist, eye specialist, doctor of refraction, doctor of ophthalmology, doctor of optometry, or any word or abbreviation to his name indicating that he is engaged in the treatment or diagnosis of defects, or injuries of the human eye, or to use drugs or medicine in any form for the treatment or examination of the human eye, or to use any therapeutic measures or agencies other than glasses for the treatment of the human eye; nor to persons who merely sell spectacles, eye-glasses, or lenses as merchandise.

Must be of Legal Age.

Sec. 17. It shall be unlawful for the board of examiners in optometry to grant a certificate to any one in the state of Nevada under legal age.

Repeal.

Sec. 18. All acts and parts of acts in conflict herewith are hereby repealed.

SOUTH DAKOTA OPTOMETRY LAW.

1913.

Be It Enacted by the Legislature of the State of South Dakota:

Section 1. *Definition—Application of Article.* The practice of optometry is defined to be the employment of any means, other than the use of drugs, for the measurement of the powers of vision and the adaptation of lenses for the aid thereof. This act shall not be construed to apply to merchants or dealers who sell glasses as merchan-

dise and who do not profess to be optometrists or practice optometry as herein defined.

Sec. 2. *The State Board of Examiners.* The governor is hereby authorized and directed on or before July 1, 1913, to appoint a board of examiners in optometry. Such board shall consist of three persons, who shall have been residents of this state, actually engaged in the practice of optometry for at least five years. For the purpose of such appointment, the South Dakota Association of Optometrists shall furnish to the governor the names of twice the number of examiners to be appointed, and thereafter similarly for each vacancy or new appointment, and the governor may select said board from the names so furnished. The term of each member of said board shall be three years and until his successor is appointed, and vacancies shall be filled for the unexpired term only, but in the original appointment of the members one shall be appointed for a term of one year, one for two years and one for three years from July 1, 1913. No member of any optical school or college or instructor in optometry, or connected in any way therewith, or any jobber or jobbing representative, shall be eligible to appointment upon the state board of optometry.

Sec. 3. *Powers of Board.* Said board of examiners shall be subject to the approval of the South Dakota Association of Optometrists, make such rules and regulations not inconsistent with the law of this state, as may be necessary for the proper performance of its duties. Each member of the board shall be authorized to and may administer oaths or take testimony concerning any matter within the jurisdiction of the board.

Sec. 4. *Examinations—Certificates to Practitioners.* Every person desiring to commence or to continue the practice of optometry after January 1, 1914, except as hereinafter provided, upon presentation of satisfactory evidence, verified by oath, that he is more than twenty-one years of age, of good moral character, has a preliminary education equivalent to at least two years in a registered high school, and has also studied at least three years in a registered optometrist's office, or has graduated from a school of optometry, maintaining a standard satisfactory to said board of examiners, shall take an examination before said board of examiners to determine his qualifications therefor. Every candidate successfully passing such examination shall be registered by said board of examiners as possessing the qualifications required by this article and shall receive from said South Dakota Association of Optometrists a certificate thereof, but any person who shall submit to said board of examiners satisfactory proof as to his character, competency and qualifications, and that he or she has been continuously engaged in the practice of optometry in this state prior to the passage of this article shall, upon recommendation of said board of examiners, receive a certificate of exemption from such examination, which certificate shall be registered and entitle him or her to practice optometry under this article. Every person entitled to a certificate of exemption as herein provided must make application therefor and present the evidence to entitle him or her thereto, on or before January 1, 1914, or he or she shall be deemed to have waived his or her right to such certificate. Before any certificate is issued it shall be numbered

and recorded in a book kept in the office of the board of examiners, and its number shall be noted upon the certificate. In all legal proceedings the record is so kept in the office of the board of examiners or certified copies thereof shall be prima facie evidence of the facts therein stated.

Sec. 5. *Certificate to be Recorded and Displayed.* Every person to whom a certificate of either registration or exemption shall be issued shall immediately cause the same to be recorded in the clerk's office in the county of his or her residence, and also in the clerk's office of each other county wherein he or she shall then practice or thereafter commence the practice of optometry; every person practicing optometry must also display his or her certificate of registration or exemption in a conspicuous place in the principal office wherein he or she practices optometry and whenever required exhibit such certificate to said board of examiners or its authorized representatives. And whenever practicing said profession of optometry outside of, or away from, said office or place of business, he or she shall deliver to each customer or person so fitted with glasses a bill of purchase, which shall contain his or her signature, home postoffice address, and the number of his or her certificate of registration or exemption.

Sec. 6. *Fees.* The fee for such examination shall be \$10.00; for a certificate of registration \$5.00; and for a certificate of exemption \$3.00, to be paid to the secretary of said board and by him turned over to the treasurer. Out of such money so collected shall be paid all fees and expenses of the board of examiners, and all expenses incurred by them in the discharge of their duties, and at no time shall the legislature of the state of South Dakota make any appropriation or pay out money for the maintaining of said board of optometrists.

Sec. 7. *Registered Optometrists of this State to Constitute an Association.* The registered optometrists of this state hereby constitute an association under the name and title of the South Dakota Association of Optometrists. The purpose of which shall be to improve the science, practice and art of optometry and restrict the sale of eyeglasses or spectacles, and the adoption of lenses for the aid of vision, and the practice of optometry to regularly educated and qualified persons therefor. The association shall hold annual meetings at such time and place as may be by it determined, and it shall report annually to the governor, recommending the names of at least three members who shall be practicing optometrists, in good standing in this state, for the two years prior thereto, and otherwise qualified to be appointed as members of the state board of optometry.

Sec. 8. *Compensation of Officers.* The secretary of the state board of optometry shall be the secretary of the association and shall receive a salary which shall be fixed by the association, and shall also receive his traveling and other expenses necessarily incurred in the performance of his official duties. The members of the board shall receive a fee not to exceed \$5.00 for each day actually engaged in the service of said board and expenses necessarily incurred in the performance of their duties. Such salary and compensation of officers shall be fixed by the association at its annual meetings in each year, and all of such fees and ex-

penses shall be paid for by the fees received by the association and the state board of optometry under the provisions of this article.

Sec. 9. *License per Year.* Every registered optometrist shall, after the year 1914, pay to the said board of examiners the sum of \$1.00 as a membership fee for such year. Such payment shall be made prior to the first day of April in each and every year, and in case of default of payment of such fee by any optometrist in this state his or her certificate may be revoked or suspended, or his or her authority to practice optometry within this state may be suspended until he or she pays the same.

Sec. 10. *Penalty for Violation of this Act.* Any violation of the provisions of this act shall be a misdemeanor. No person not a holder of a certificate of registration or exemption duly issued to him or her by the state board of optometry, and recorded as in this act provided, shall, after January 1, 1914, practice optometry in this state. The practice of or offering to practice optometry or the public or private representation of being qualified to practice the same by any person not authorized to practice optometry, shall be sufficient evidence of the violation of this act, and any person who shall violate any of the provisions thereof shall be guilty of a misdemeanor and upon conviction for the first offense shall be punished by a fine not to exceed \$50.00 nor less than \$10.00. For the second offense the punishment shall be a fine of \$100.00 and 30 days' imprisonment in the county jail.

Sec. 11. All acts and parts of acts in conflict with this act are hereby repealed.

Approved March 12, 1913.

CONNECTICUT OPTOMETRY LAW.

1913.

Chapter 236 of the Acts of 1913.

Definition.

Section 1. The practice of optometry is hereby defined to be the employment of any means other than drugs for the measurement of the power of vision and the adaptation of lenses for the aid thereof.

Board of Examiners in Optometry.

Sec. 2. There shall be an examining board to be known as the Connecticut State Board of Examiners in Optometry, consisting of five regular optometrists, who shall have competent knowledge of the theoretical and practical science of optics, and shall have practiced optometry in this state for at least three years. Said board of examiners shall be appointed by the state board of health as hereinafter provided. At its regular meeting next preceding October 1, 1913, said state board of health shall appoint five members of said board of examiners to hold office as follows: Two for one year, two for two years, and one for three years, from October 1, 1913, and thereafter at its regular meeting next preceding October 1st, said state board of health shall appoint successors to those whose terms expire, as members of said board of examiners for terms of three years from October 1st following their appointments. Vacancies in said board of examiners shall be filled by the state board of health. The Connecticut State Optical Society may annually nominate to the state board of health eight optometrists for appointment on said board of examiners, and said state board

of health may select said board of examiners from said nominees or otherwise, as it may deem for the best interest of the state. Members of said board of examiners, before assuming office, shall be sworn to a faithful discharge of their duties, and shall file with the state board of health a certificate of the administration of such oath.

Meetings of the Board.

Sec. 3. Said board of examiners shall meet within thirty days after their appointment and at their first meeting and at the annual meeting on the second Tuesday in October thereafter shall choose one of their members as president, and one as secretary and treasurer. Said secretary and treasurer shall give a bond to the satisfaction of the comptroller. Said board shall make rules and regulations for its government in the transaction of its business, and each member thereof may administer oaths and take testimony when appointed to do so by the board concerning any matter within the jurisdiction of the board. A majority of said board shall constitute a quorum. Said board shall meet at least once in six months, the time and place of meeting to be designated by the president and secretary. The secretary shall keep a record of the proceedings of the board, which shall at all reasonable times be open for inspection. The board shall annually, on or before the first day of October, make a report to the state board of health of its official acts and of its receipts and expenses, with such suggestions as it may deem advisable with reference to the matters committed to its charge. All receipts and fees received by said board of examiners under this act, except such as are retained by the board under the provisions of this section, shall be paid to the state treasurer, and account rendered to the comptroller semi-annually. There shall be retained by said board of examiners at the time of such accounting such amounts as are necessary to pay their necessary expenses as approved by the comptroller, including stationery and printing. Said board of examiners shall receive no compensation for its services.

Sec. 4. Every person, before beginning to practice optometry in this state after January 1, 1914, except as hereinafter provided, shall present to said board evidence that he or she is more than twenty-one years of age, of good moral character, has a preliminary education equivalent to at least two years in high school, and has studied at least two years in a registered optometrist's office, or has graduated from a school, or college of optometry recognized as efficient by the state board of examiners, and shall take an examination before said board in the theoretical, practical and physiological science of optics, theoretical and practical optometry, and in the anatomy and physiology of the eye; and said board shall determine the qualifications of the applicant, and if found satisfactory, shall give a certificate to that effect. Said certificate shall not contain the word "doctor" or its synonym. The times and places for examination of applicants shall be determined by the board, and each applicant, before examination, shall pay to the board the sum of ten dollars, and the further sum of five dollars upon the issuance of a certificate. Any applicant failing to pass a satisfactory examination shall be entitled to one re-examination after the expiration of one month and not later than six months, free of charge. For subsequent examination a fee of five dollars shall be paid. Each applicant,

upon obtaining the certificate herein provided for shall file the same for record in the office of the secretary, who shall cause the same to be recorded in a book for that purpose; and any such certificate not so filed within thirty days after its date shall be void.

Duties of the Board.

Sec. 6. Said board may adopt rules and by-laws with reference to the display of certificates, and the number of the same by the person thus licensed, and may revoke, suspend and reissue such certificates for causes deemed by it sufficient, and may provide in its rules and by-laws for hearing with reference to all matters relating to the granting, revocation or reissuing of such certificate. Duplicate certificates may be issued by the board upon proof of loss of the original certificate, for which a fee of one dollar shall be charged.

Duties of the Secretary.

Sec. 7. The secretary shall keep accurate minutes of all the doings of the board, and shall keep a record of all certificates issued, revoked or reissued.

Penalty for Practicing Without Certificate.

Sec. 8. After January 1, 1914, no person shall practice optometry in this state unless he shall have obtained a certificate under the provisions of this act; and any person thus practicing without such certificate shall for each offense be fined not more than one hundred dollars, or imprisoned not more than three years, or both.

Construction of Article.

Sec. 9. This act shall not be construed to apply to physicians and surgeons authorized to practice under the laws of the state, nor to any persons who sell spectacles or eyeglasses on prescription from any physician or duly certified optometrist, nor to dealers in spectacles or eyeglasses who neither profess to practice nor practice optometry.

The Use of Titles.

Sec. 10. No person granted a certificate under the provisions of this act shall display or use the title of "doctor" or its synonym, either by way of prefix or otherwise. Any person violating the provisions hereof shall be subject to the penalties provided in Sec. 8 of this act.

MARYLAND OPTOMETRY LAW.

1914.

Section 1. Be it enacted by the General Assembly of Maryland, that within thirty days after the passage of this act, the governor shall appoint a board of examiners in optometry for the State of Maryland. The board shall consist of five persons, not more than two of whom may be, but not necessarily, physicians. The board shall be selected from a list of ten names endorsed by the Maryland Association of Optometrists. No person shall be eligible to appointment as a member of said board unless he has been engaged in the actual practice of optometry or ophthalmology in the State of Maryland continuously for five years last past, and a resident thereof. Vacancies from any cause shall be filled by the governor for the unexpired term from a list of four names submitted by the Maryland Association of Optometrists. Each member of said board shall hold office for a term of two years and until his successor is duly appointed and qualified.

Sec. 2. And be it enacted, That said board so appointed and its suc-

cessors, shall be known by the name of the board of examiners in optometry of the State of Maryland. Every person so appointed to serve on said board shall receive a certificate of his appointment from the governor of the State of Maryland, and within ten days after receiving such certificate he shall take, subscribe and file in the office of the secretary of state the constitutional oath of office.

Sec. 3. And be it enacted, That said board shall meet within ten days after their appointment has been made and choose a president, secretary and treasurer from the members thereof, and annually thereafter elect such officers and adopt a common seal. Each member shall have the power to administer oaths and take affidavits concerning all matters properly cognizable by said board, certifying thereto under the hand and seal of the board. Said board shall meet in the city of Baltimore at least twice a year and as often thereafter as may be necessary, and in addition thereto whenever and wherever the board shall call a meeting. A majority of said board shall at all times constitute a quorum. The secretary of said board shall keep a full record of the proceedings of said board, which shall at all reasonable times be open to public inspection. The treasurer shall receive from the secretary all fees paid for licenses and certificates and shall keep a record thereof, and of all disbursements of said board in a book to be kept for that purpose. All moneys paid to the board shall be deposited by the treasurer in some safe banking institution, and all moneys paid out shall be approved by said board and be made by check signed by both the president and the treasurer. The treasurer shall be required to give such bond as the board may exact, and the said board shall make an annual report of its proceedings to the governor, which report shall contain an account of all moneys received and disbursed by them pursuant to this act.

Sec. 4. And be it enacted, That out of the funds coming into the possession of said board, each member thereof attending the meetings for examination and registration may receive as compensation the sum of three dollars for each applicant that may be examined; and in cases of registration for the first time they may each receive as compensation for such service the sum of fifty cents, and, further, each member may receive as compensation a sum to be determined by said board which shall not exceed ten dollars for each day actually engaged in necessary duties of his office when not examining or registering applicants, and mileage at three cents per mile for all distances traveled in going to and coming from meetings of the board. All expenses shall be paid from the fees and moneys received by the board under the provisions of this act, and no moneys shall ever be paid to said board out of the state treasury. All moneys received in excess of said compensation and mileage as before provided for shall be held by the treasurer as a special fund for meeting expenses of said board and carrying out the provisions of this act.

Sec. 5. And be it enacted, That the practice of optometry is hereby defined to be the employment of any means, except the use of drugs, medicine or surgery, known to the science of optics for the purpose of determining, correcting and prescribing by means of lenses for any optical condition existing in the human eye, and also the employment

of any means, except the use of drugs, medicine or surgery, for the purpose of detecting diseased conditions.

Sec. 6. And be it enacted, That no person shall hereafter practice optometry, nor use the title optometrist in the State of Maryland unless he shall first have obtained a certificate of registration or one of examination, and filed the same for record or a certified copy thereof with the clerk of the county or city of his residence, as herein provided in Section 12. It shall be construed as practicing optometry for any person to prescribe, give directions or advise as to the fitness or adaptation of a pair of spectacles, eyeglasses or lenses for another person to wear for the correction of relief of any condition for which a pair of spectacles, eyeglasses or lenses are used.

Sec. 7. And be it enacted, That every person who is actually engaged in the practice of optometry in the State of Maryland at the time of the passage of this act shall within six months thereafter file an affidavit in proof thereof with the examining board in optometry, who shall make and keep a record of such person, and shall for the consideration of the sum of five dollars issue to him a certificate of registration. Recipients of said certificate shall within three months present the same for record in the city or county in which they reside, as provided for in this act, and shall pay a fee of fifty cents to the clerk for recording the same, and failure to present said certificate within three months after issuance thereof shall cause forfeiture of same.

Sec. 8. And be it enacted, That every person not exempt by Section 7 of this act, desiring to begin the practice of optometry in this state shall pass an examination before said board of examiners. Such examination shall be confined to such knowledge as is essential to the practice of optometry and shall include anatomy and physiology of the eye; all branches of optics as it applies to optometry; the use of the ophthalmoscope and all instruments used in a practical examination of the eye; also any subject the board may deem essential in the examination of an applicant. Any applicant for examination must not be under twenty-one years of age, and must be of good moral character, and must give evidence which shall be satisfactory to the board of examiners of having had preliminary education equal to the second year grade of a regular high school, and shall appear before the board at such time and place as the board may designate. Each person shall pay at the time of filing his application the sum of twenty dollars to the secretary of the board for the use of said board, and if he shall pass said examination he shall pay to the said secretary, for the use of said board, a further sum of five dollars on the issuance to him of a numbered certificate of examination which shall constitute a license to practice optometry. All persons passing such examinations shall be registered in the board register, which shall be kept by the secretary, and shall also receive a numbered certificate of such registration, signed by at least three members of the board making such examination of said applicant, which shall be recorded in the clerk's office of the superior court of Baltimore City, or the clerk's office of the circuit court of any county in the state. If an applicant be rejected he shall be entitled to another examination not earlier than six months thereafter for the fee first paid, but for subsequent examinations he shall pay a fee of fifteen

dollars. Said examinations are not to occur within six months of the preceding one.

Sec. 9. And be it enacted, That any person entitled to a certificate as provided for in Section 7 of this act, who shall not within six months after the passage thereof make written application to the board of examiners for a certificate of registration, accompanied by a written statement, signed by him and duly verified before an officer authorized to administer oaths within this state, fully setting forth the grounds upon which he claims such certificate, shall be deemed to have waived his right to a certificate under these provisions, or refusal on the part of any person holding such certificate under the provisions of such sections to file same for record as hereinbefore provided for three months after the issuance thereof, shall forfeit same.

Sec. 10. And be it enacted, That every person to whom a certificate of registration or examination is granted shall display the same in a conspicuous part of his office wherein the practice of optometry is conducted. Every person licensed to practice under this act shall deliver, whenever he may make an examination, prescribe or furnish spectacles, eyeglasses or lenses to any person outside of or away from his place of business, a statement which shall contain his home address, signature and number of his certificate of registration or examination.

Sec. 11. And be it enacted, That every registered optometrist who desires to continue the practice of optometry in this state shall annually on such date as the board of optometry may determine, pay to the secretary of said board a registration fee, to be fixed by them, but which shall not exceed the sum of five dollars per annum, for which he shall receive a renewal receipt. Should any optometrist fail to make application for a renewal of registration, he shall be notified that his certificate of registration will be revoked within thirty days after such notification, and if he fails to pay the annual fee before the expiration of the time mentioned in said notice said board may at once proceed to revoke said certificate of registration.

Sec. 12. And be it enacted, That recipients of certificates of registration or examination shall present the same to the clerk of the superior court of Baltimore City or to the clerk of the circuit court of the county in which they permanently reside, and shall pay a fee of fifty cents for recording same. Said clerk shall record said certificate in a book to be provided by him for that purpose. Any person so licensed removing his residence permanently from one county to another in this state shall, before engaging in the practice of optometry in such other county, obtain from the clerk of the county or city in which said certificate is recorded a certified copy of such record, or else obtain a new certificate of registration or examination from the board of examiners, and shall before commencing practice in such county or city present the same for record to the clerk of such county or city to which he removes, and pay the clerk thereof for recording same a fee of fifty cents. Any failure, neglect or refusal on the part of the person holding such certificate or copy of record to file same for record, as hereinbefore provided for three months after issuance thereof shall forfeit same. The board of examiners shall be entitled to a fee of one dollar for the reissuance of any certificate, and the clerk of any court

issuing the certified copy of such a certificate shall be entitled to a fee of one dollar for making and certifying a copy of the record of any such certificate.

Sec. 13. And be it enacted, That the board may revoke any certificate of registration or examination granted by it under this act because of wilful misrepresentation, illegal practice, conviction of crime, habitual drunkenness for six months preceding the charge, gross incompetency to practice optometry, and the board may refuse to grant a certificate any time of felony or gross immorality or addicted to the liquor or any time of foleny or gross immorality or addicted to the liquor or drug habit to such a degree as to render him unfit to practice the profession of optometry; but no certificate shall be revoked or refused unless written charges have been filed against the accused in person, and at least ten days' written notice of the time and place of the hearing thereon, which shall be public, served upon the accused, and he be given an opportunity to confront the witness against him, offer testimony in his own behalf and be heard in person or by counsel. Witnesses at such hearing shall testify under oath and the board may enforce the attendance of witnesses. The board may at any time after the expiration of ninety days from its revocation issue a new certificate to any one whose certificate has been revoked, when it is made to satisfactorily appear to the board that the disqualification has been removed or ceased to exist, upon payment of such fees as are herein provided. Any optometrist convicted a second time for violation of the provisions of this act or whose certificate of registration or examination has been revoked shall not be permitted to practice optometry in this state. An appeal may be taken from the action of the board refusing to grant or revoking a certificate for such causes to three disinterested optometrists, one of whom shall be appointed by said board, another of whom shall be appointed by the appellant, and the two so appointed to select the third, and the decision of any two thereof shall be final and binding. Thirty dollars shall be deposited with said board by said appellant prior to the selection of the three persons aforesaid for the purpose of defraying the expenses of said appeal. If the decision of the board be not affirmed, the said thirty dollars is to be returned to said appellant and the expenses of the appeal is to be borne by the board.

Sec. 14. And be it enacted, That it shall be unlawful for any person to knowingly sell to or prescribe glasses for persons with diseased eyes except it be with their knowledge and consent or on an order of or advice from a registered physician, or to sell to or proscribe concave glasses for a person under fifteen years of age except on an order of or advice from a registered physician. It shall not be construed as a violation of this section for a person to sell a duplicate or replace glasses for such cases cited in this section.

Sec. 15. And be it enacted, That any person who shall violate any of the preceding provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both fined and imprisoned, and his license may be revoked, in the discretion of the court.

Sec. 16. And be it enacted, That any person holding a license under

this act who shall attach to his name or use the title M. D., Surgeon, Doctor, Physician, Eye-Specialist, Oculist, Ophthalmologist, Doctor of Ophthalmology, Doctor of Optometry, Doctor or Optics, or any word or abbreviation that will or can convey the impression that he is engaged in the treatment of diseases or injuries of the human eye, or make use of drugs, medicine, or surgery in the practice of optometry, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than two hundred dollars, or imprisoned not more than three months, or both fined and imprisoned, and his license may be revoked, in the discretion of the court.

Sec. 17. And be it enacted, That the provisions of this act shall not apply nor be construed to apply to persons who sell spectacles, eyeglass or lenses as merchandise, or to opticians who furnish glasses on an order from an oculist, or to physicians and surgeons who are authorized to practice in this state, or to dealers in spectacles, eyeglasses or lenses who neither practice nor profess to practice optometry as defined in this act.

Sec. 18. And be it enacted, That this act shall take effect and be in force from and after its passage.

NEW JERSEY OPTOMETRY LAW.

1914.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

Section 1. The practice of optometry is hereby defined to be the employment of any means, other than the use of drugs, for the measurement of the powers of vision and the adaptation of lenses for the aid thereof.

Sec 2. There is hereby created a board to be known and styled the New Jersey State Board of Optometrists. Said board shall consist of five persons, who shall possess sufficient knowledge of theoretical and practical optics to practice optometry, and who shall have been residents of this state actually engaged in the practice of optometry for at least five years. The term of each member of said board shall be three years, or until his successor is appointed and shall have qualified, and vacancies shall be filled for the unexpired term only; but in the original appointment of the members of the board, two shall be appointed for the term of one year, two for two years and one for three years, from July 1, 1914. Said board shall be appointed by the governor of this state on or before July 1, 1914, and annually thereafter as vacancies occur in the membership of said board they shall be filled by the governor.

Sec. 3. The members of said board shall, before entering upon the discharge of their duties, and within 30 days after their appointment, take and subscribe to an oath before any officer authorized to administer oaths in this state, for the faithful performance of duty, and file the same with the secretary of state; they shall annually elect from their number a president and secretary, who shall also be treasurer, each of whom shall hold office for one year and until his successor shall have been duly elected and shall have qualified, the secretary and treasurer shall receive such compensation for his services as may be determined

by the board, and shall give a bond for the faithful performance of his duties, in such sum as the said board may determine.

Said board shall make such rules and regulations, not inconsistent with the law, as may be necessary for the proper performance of its duties; any member of the board may, upon being duly designated by the board, or a majority thereof, administer oaths or take testimony concerning any matter within the jurisdiction of the board; the board shall adopt a seal, and the secretary shall have the care and custody thereof, and shall keep a record of all the proceedings of the board, which shall be open to public examination.

Sec. 5. Provisions shall be made by the said board for holding examinations of applicants for registration to practice optometry, at least twice in each year, if there shall be any such applicants.

Sec. 6. Every person desiring to commence or to continue the practice of optometry after January 1, 1915, except as hereinafter provided, shall file with the secretary of the New Jersey state board of optometrists, upon blanks to be furnished by said secretary an application, verified by oath, stating therein that such applicant is more than 21 years of age, of good moral character, has a preliminary education equivalent to at least two years in a high school of this state, and has also studied at least three years in a registered optometrist's office, or has graduated from a school of optometry maintaining a standard satisfactory to said board, or has practiced as a registered optometrist for two full years outside of this state, and shall take an examination before said board to determine his qualifications therefor. If the examination of any applicant for registration shall be satisfactory to the majority of the board, he shall receive from said board a certificate of registration authorizing him to practice optometry, but any person who shall, prior to January 1, 1915, submit to the board satisfactory proof as to his character, competency and qualifications, and that he has been continuously engaged for more than two years next prior to the passage of this act, shall receive a certificate of registration which shall entitle him to practice optometry under this act. All examination papers shall be deposited in the state library in the Capitol building, and they shall remain there for a period of one year, at the expiration of which time they shall be destroyed, and they shall be prima facie evidence of all matters therein contained.

Sec. 7. The fee for such examination shall be \$15.00; for a certificate of registration, \$10.00; to be paid to the secretary of the board by the applicant upon filing his application and receiving his certificate, respectively, and constitute a fund for expenses made necessary by this act.

Sec. 8. Before any certificate is issued it shall be numbered and recorded in a book kept in the office of the board, and its numbers shall be noted upon the certificate. A photograph of the person registered shall be filed with the record. In all legal proceedings the record and photographs so kept in the office of the board, or certified copies thereof, shall be prima facie evidence of the facts herein stated.

Sec. 9. Every person to whom a certificate of registration shall be issued shall file the same, for the purpose of registration, with the clerk of the county in which he resides, and also with the clerk of each

other county wherein he shall then practice or thereafter commence the practice of optometry, and said clerk shall enter a memorandum thereof, giving the date of said certificate, with the name of the person to whom the same is issued, the number thereof, and the date of said filing, in a book to be kept by him for that purpose, and shall return said certificate to the owner thereof, and for which registry the said county clerk shall be entitled to demand and receive from each person registering the sum of \$1.00; and each county clerk in the counties of this state shall upon the last day of December of each year furnish to the secretary of the New Jersey state board of optometrists a list of all the certificates of said board filed as aforesaid in his office during the previous year, and upon notice to him of the change of location or death of the person registered, or of the revocation of said certificate, said county clerk shall enter at the appropriate place in the book so kept by him a memorandum of said fact.

Sec. 10. Every person practicing optometry must also display his certificate in a conspicuous place in the principal office wherein he practices optometry, and, whenever required, exhibit such certificate to said board or its authorized representatives. And whenever practicing said profession of optometry outside of or away from said office or place of business he shall deliver to each customer or person so fitted with glasses a bill of purchase which shall contain his signature, home postoffice address and the number of his certificate.

Sec. 11. The board shall have power to revoke any certificate of registration granted by it under the act, the holder of which is guilty of any fraud or deceit in his practice, has been convicted of crime, or is an habitual drunkard or grossly incompetent to practice optometry. Proceedings for revocation of a certificate shall be begun by filing with the New Jersey state board of optometrists a written charge or charges against the accused. These charges may be preferred by any person or corporation, or the board may, on its own motion, direct its secretary to prefer said charges.

Sec. 12. When charges are preferred the New Jersey state board of optometrists, or a majority thereof, shall hear and determine said charges. For such purpose the said board, or a majority thereof, shall have the powers of a court of record sitting in the county in which its meeting shall be held to issue subpoenas and to compel the attendance and testimony of witnesses. A time and place for the hearing of said charges, within the county in which the accused was last known to practice, shall be fixed by said board as soon as convenient, and a copy of the charges, together with a notice of the time and place when they will be heard and determined, shall be served upon the accused or his counsel at least twenty days before the date actually fixed for said hearing. The accused shall be entitled to the subpoena of the board for his witnesses. Where personal service or service upon counsel cannot be effected, and such fact is certified on oath, the board shall cause to be published for at least seven times, for at least twenty days prior to the hearing, in two daily papers in the county in which the optometrist was last known to practice, a notice to the effect that at a definite time and place a hearing will be held for the purpose of hearing charges against the optometrist upon an application to revoke his certificate.

At said hearing the accused shall have the right to cross-examine the witnesses against him and to produce witnesses in his defense, and to appear personally or by counsel.

Sec. 13. The said board shall reduce its findings to writing, to be signed by all the members who have heard said charges. If the board shall unanimously find that said charges, or any of them, are sustained, the board may thereupon, in its discretion, revoke said certificate of registration.

Sec. 14. If the board shall revoke such certificate it shall forthwith transmit to the clerk of the county or counties in which said accused is registered as an optometrist a certificate under its seal certifying that such certificate of registration has been revoked, and said clerk shall, upon receipt of said certificate, file the same and forthwith mark said registration "certificate revoked."

Sec. 15. No person shall practice optometry after his registration has been marked "certificate revoked."

Sec. 16. Any person whose certificate shall be refused or revoked by said board shall have the right to appeal by certiorari to the supreme court for a review of such action, and the supreme court is hereby authorized and empowered to review and correct the action of said board, and the said board shall forthwith carry out the judgment of the supreme court on such review.

Sec. 17. Where the certificate of registration of any person has been revoked, as herein provided, the board may, after the expiration of one year, entertain an application for a new certificate in like manner as original applications for certificates are entertained; and upon such new application it may, in its discretion, exempt the applicant from the necessity of undergoing an examination.

Sec. 18. The expense of said board and of the officers thereof, and of the examination held by said board, and of any other matter in connection with the provisions of this act, shall be paid from the registration fees above provided for. In no case shall any such expense be paid by the State of New Jersey or be a charge against said state.

Sec. 19. An itemized account of all the receipts and expenditures of said board shall be kept by its secretary and a detailed report thereof each year ending with the 30th day of November, duly verified by the affidavit of the said secretary, shall be filed with the secretary of state within ten days thereafter, the secretary of said state to be paid such fees therefor as are now paid for filing similar papers in his office.

Sec. 20. The members of the board shall be entitled to reimbursement for their traveling expenses incurred in pursuance of their duties, not to exceed \$10.00 per diem for each member of the said board.

Sec. 21. No person not a holder of a certificate duly issued to him and filed as above provided shall, after January 1, 1915, practice optometry within this state. No person shall falsely personate a registered optometrist of a like or different name, nor buy, sell or fraudulently obtain a certificate issued to another. Practicing or offering to practice optometry, or the public representation of being qualified to practice the same by any person not authorized to practice optometry, shall be sufficient evidence of a violation of this act.

Sec. 22. Any violation of the provisions of this act shall be a mis-

demeanor, and shall be punished by a fine of not less than \$50.00 nor more than \$200.00, or by imprisonment for not less than 30 days, or not more than six months, or by both fine and imprisonment.

Sec. 23. Nothing in this act shall be construed to apply to duly licensed physicians authorized to practice medicine under the laws of the State of New Jersey, nor to persons who neither practice nor profess to practice optometry, who sell spectacles, eyeglasses or lenses either on prescription from such physician or from duly qualified optometrists, or as merchandise from permanently located and established places of business.

Sec. 24. Nothing contained in this act shall authorize, empower or confer upon any person practicing optometry the right to add, affix or attach to his or her name the title, designation, character or letters of M. D., surgeon, doctor, ophthalmologist, or to indicate in any way that he or she is engaged in the treatment of injuries of the human eye, or to use any therapeutic measures or agencies other than glasses for the treatment of the human eye, except he or she is authorized to do so by the board, body or persons now empowered by law to award such right or title; provided, however, that any person violating the provisions hereof shall be guilty of a misdemeanor.

Sec. 25. This act shall take effect immediately.

OREGON OPTOMETRY LAW.

1914.

Section 1. That practice of optometry is defined as follows, namely: The employment of subjective and objective mechanical means to determine the accommodative and refractive states of the eye and the scope of its functions in general.

Sec. 2. It shall be unlawful for any person to practice optometry, or to profess by public advertisement, sign, circular or card to practice optometry, in the State of Oregon, unless such person shall first have obtained a certificate of registration and filed the same, or a certified copy thereof, for record with the clerk of the county in which such person shall practice, as hereinafter provided.

Sec. 3. There is hereby created a board whose duty it shall be to carry out the purposes and enforce the provisions of this act, and which shall be styled the Oregon state board of examiners in optometry. The present members of said board shall continue in office until the thirty-first day of April, 1909, and until their successors are appointed and qualified. Appointments to fill vacancies caused by death, registration or removal, shall be made for the residue of the term by the governor. All appointments to said board after the expiration of the terms of the present members of the said board shall be as follows: It shall be the duty of the Oregon State Association of Optometrists at the regular meeting of said association, next prior to the time of appointment by the governor of said members, to furnish to the governor the names of three competent optometrists for each member to be appointed and from which he shall select the appointees to fill said offices. The terms of office of each of the three members of said board, first appointed after the expiration of the terms of the present members thereof, shall be, respectively, one for one year, one for two years, and one for three years, to be designated by the governor at the time of

their appointment and thereafter each term of office shall be for three years, and all members shall hold office until their successors are appointed and qualified. No person shall be eligible to membership on said board who is connected, either directly or indirectly, with the wholesale optical business, and who is not engaged in the actual practice of optometry, a citizen of the United States, and a resident of the State of Oregon. The members, before entering upon their duties, shall respectively take and subscribe an oath or affirmation substantially to the effect that he will support the Constitution and laws of the United States and of the State of Oregon, and will faithfully perform the duties of the office of a member of the Oregon state board of examiners in optometry; said oath or affirmation to be filed with the clerk of the county in which such member resides. The said board shall have a common seal.

Sec. 4. Said board shall choose at its first regular meeting, and annually thereafter, one of its members president and one secretary thereof, who, severally, shall have the power during their term of office to administer oaths and take affidavits, certifying thereto under their hand and the seal of the board. Said board shall meet at least once in each year at the State Capitol, and in addition thereto whenever and wherever the president and secretary thereof shall call a meeting; a majority of said board shall at all times constitute a quorum. The secretary of said board shall keep a full record of the proceedings of said board, which record shall at all reasonable times be open to public inspection.

Sec. 5. Every person desiring to commence the practice of optometry in this state must show by satisfactory evidence, certified by oath, that he is more than 21 years of age, of good moral character, has a preliminary education equivalent to at least two years in a registered high school and has also studied at least three years in a registered optometrist's office, or has graduated from a school of optometry, maintaining a standard satisfactory to the said board of examiners, shall take an examination before said board of examiners to determine his qualifications therefor. Such examination shall be confined to such knowledge as is essential to the practice of optometry. Any person having signified to said board his desire to be examined by them and having filed the said proof shall appear before them at such time and place as they may designate, and before beginning such examination shall pay to the secretary of said board for the use of said board, the sum of \$10.00, and if he shall successfully pass such examination, shall be registered by said board as possessing the qualifications required by this section, and shall receive from said board a certificate thereof. All persons successfully passing such examination shall be registered in the board register, which shall be kept by said secretary, as licensed to practice optometry and shall also receive a certificate of such registration to be signed by the president and secretary of said board, which shall be filed as hereinbefore provided: Provided, however, that the further sum of \$5.00 shall be paid by the said person to said secretary for the use of said board upon the issuance of said certificate of registration.

Sec. 6. Every person who is actually engaged in the practice of optometry in the State of Oregon at the time of the passage of this

act shall within three months thereafter file an affidavit in proof thereof with said board, who shall make and keep record of such person and shall in consideration of the sum of \$5.00 issue to him a certificate of registration.

Sec. 7. All persons entitled to a certificate of registration under the full provisions of Section 6 shall be exempt from the provisions of Section 5 of this act.

Sec. 8. Recipients of such certificates of registration shall, before engaging in the practice of optometry in any county in this state, present the same for record to the clerk of such county and shall pay a fee of 50 cents to the clerk for recording the same. Said clerk shall record said certificate in a book to be provided by him for that purpose. Any person so licensed desiring to practice in any other county in this state shall, before engaging in the practice of optometry in such other county, present such certificate to the clerk of such other county for record or obtain from the clerk of the county in which said certificate of registration is recorded a certified copy of such record, or else obtain a new certificate of registration from the said board of examiners, and shall, before commencing practice in any other county, file the same for record with the clerk of such county and pay the clerk thereof for recording the same a fee of 50 cents. Such board shall be entitled to a fee of \$1.00 for the reissue of any certificate, and the clerk of any county shall be entitled to a fee of \$1.00 for making and certifying a copy of the record of any such certificate.

Sec. 9. Any person entitled to a certificate as provided in Section 6 of this act, who shall not within three months after the passage thereof make written application to the board of examiners for a certificate of registration, accompanied by a written statement signed by him, and duly verified before an officer authorized to administer oaths within this state, fully setting forth the ground upon which he claims such certificate, shall be deemed to have waived his right to a certificate under the provisions or the refusal on the part of any person holding such certificate under the provisions of this act. Any failure, neglect or refusal on the part of any person holding such certificate to file the same for record, as hereinbefore provided, for six months after the issuance thereof, shall forfeit the same.

Sec. 10. Every person to whom a certificate of examination or registration is granted shall display the same in a conspicuous part of his office wherein the practice of optometry is conducted.

Sec. 11. Out of the funds coming into the possession of said board each member thereof may receive, as compensation, the sum of \$5.00 for each day actually engaged in the duties of his office, and mileage at three cents per mile for all distance necessarily traveled in going to and coming from the meetings of the board. Said expenses shall be paid from the fees and assessments received by the board under the provisions of this act, and no part of the salary or other expenses of the board shall ever be paid out of the state treasury. All moneys received in excess of per diem allowance and mileage as above provided for shall be held by the secretary as a special fund for meeting expenses of said board and carrying out the provisions of this act, and he shall give such bond as the board shall from time to time direct, and the said

board shall make an annual report of its proceedings to the governor on the first Monday in January of each year, which report shall contain an account of all moneys received and disbursed by them pursuant to this act.

Sec. 12. Every registered optometrist who desires to continue the practice of optometry in this state shall annually, on such date as the board of optometry may determine, pay to the secretary of said board a registration fee to be fixed by the board, but which shall in no case exceed the sum of \$2.00 per annum, for which he shall receive a renewal of said registration; and in case of default in such payment by any person, his certificate may be revoked by the board of examiners, under twenty days' notice of the time and place of considering such revocation. But no certificate shall be revoked for such nonpayment, if the person so notified shall pay before or at such time of consideration his fee and such penalty as may be imposed by said board; provided, that said board impose a penalty of \$5.00 and no more on any one person so notified, as a condition of allowing his certificate to stand; provided, further, that said board of examiners may collect any such fees by suit.

Sec. 13. The board shall have power to revoke any certificate of registration granted by it under this act, if the holder of which is guilty of any fraud or deceit in his practice, has been convicted of a crime, or is an habitual drunkard, or grossly incompetent to practice optometry. Proceedings for revocation of a certificate or the annulment of registration shall be begun by filing a written charge or charges against the accused. These charges may be preferred by any person or corporation, or the board may on their own motion direct their executive officer to prefer said charges. Said charges shall be filed with the secretary of the board of optometry. A time and place for the hearing of said charges shall be fixed by said board as soon as convenient and a copy of the charges, together with a notice of the time and place when they will be heard and determined, shall be served upon the accused at least ten days before the date actually fixed for said hearing. Where personal service cannot be effected and such fact is certified on oath by any person duly authorized to make legal service, the board shall cause to be published for at least seven times, for at least twenty days prior to the hearing, in two newspapers in the county in which the optometrist was last known to practice, a notice to the effect that at a definite time and place a hearing will be had for the purpose of hearing charges against the optometrist upon an application to revoke his certificate. At said hearing the accused shall have the right to cross-examine the witness against him and to produce witnesses in his defense, and to appear personally or by counsel, or both. The said board shall make a written report of its findings and recommendations, to be signed by all its members, and the same shall be forthwith filed with the secretary of said board. If the committee shall unanimously find that said charges, or any of them, are maintained, and shall unanimously recommend that the certificate of the accused be revoked, or his registration be annulled, the secretary of said board shall revoke said certificate or annul said registration, or do both. If the secretary shall revoke said certificate or annul such registration he shall forth-

with transmit to the clerk of the county or counties in which said accused is registered as an optometrist, a certificate under seal of the board certifying that such registration has been annulled and said clerk shall, upon receipt of said certificate, file the same and forthwith mark said registration "Annulled." Any person who shall practice optometry after his registration has been marked "Annulled" shall be deemed to have practiced optometry without registration. Where the certificate of any person has been revoked, or his registration has been annulled as herein provided, the board may, after the expiration of ninety days, entertain an application for a new certificate, in like manner as original applications for certificates are entertained, and upon such new application they may in their discretion exempt the applicant from the necessity of undergoing an examination.

Sec. 14. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$20.00 nor more than \$100.00, or to be confined not less than one month nor more than three months in the county jail, and in default of payment of said fine shall be imprisoned in the county jail at the rate of one day for every \$2.00 of the fine so imposed. And all fines thus received shall be paid to the common school fund of the county in which such conviction takes place.

Sec. 15. Justices of the peace and the respective municipal courts have jurisdiction of violation of this act. It shall be the duty of the respective district attorneys to prosecute all violations of this act.

Sec. 16. Nothing in this act shall be construed to apply to physicians and surgeons authorized to practice under the laws of the State of Oregon, nor to persons who sell spectacles or eyeglasses in the ordinary course of trade, and who do not attempt to employ subjective and objective mechanical means, to determine the accommodative and refractive states of the eye.

Sec. 17. This act shall take effect and be in force from and after its passage.

Filed in the office of the secretary of state, February 21, 1905-1907-1911.

ILLINOIS OPTOMETRY LAW.

1915.

Section 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly: That the practice of optometry is defined to be the employment of any means other than the use of drugs, medicine, or by surgery for the measurement of the power of vision and the adaptation of lenses for the aid thereof.

Sec. 2. The provisions of this act shall not be construed to apply to physicians duly licensed to practice medicine under the laws of the state, nor to persons who sell spectacles or eyeglasses on prescription from any duly qualified optometrist registered under this act or from any licensed physician, nor to dealers in spectacles or eyeglasses having an established place of business who neither practice nor profess to practice optometry, nor to the exclusively wholesale business of any dealer or manufacturer.

Sec. 3. The governor, with the advice and consent of the Senate, shall appoint five persons from among such practicing optometrists of

the state as have had not less than five years' practical experience in optometry, as defined in Section 1 of this act, who shall constitute the state board of optometry, no member of any optical school or college, or instructor in optometry, or person connected in any way therewith, or any manufacturer, jobber or jobbing representative, shall be eligible to appointment upon the state board of optometry. "On or before the first day of January, 1916, the governor shall appoint members of said board, and the terms of office for the said board first appointed shall be as follows: Beginning January 1, 1916, one member shall be appointed for a term of one year, one for two years, one for three years, one for four years, one for five years. The term of the memhbres of said board, successively, shall expire on the 31st day of December of each year, and the terms of all members after the first board is appointed shall be for a period of five years and until their successors shall be appointed and qualified." If any person so appointed shall discontinue the active practice of optometry during the period of his appointment his term shall thereupon cease and he shall be at once removed by the governor. All vacancies, however, occurring shall be filled by appointment by the governor, with the advice and consent of the Senate, and appointments made when the Senate is not in session shall be confirmed at its next ensuing session.

Sec. 4. The members of the state board of optometry before entering upon the discharge of their duties shall make and file with the secretary of state the constitutional oath of office. The members of said board shall, within thirty days after appointment, and annually thereafter in the month of January, meet and organize by electing a president from among the members thereof, and a secretary, who shall also be the treasurer of said board, who shall not be a member of said board, but who shall have all the qualifications of a member. The said secretary and treasurer, before entering upon his duties, shall file a bond with the secretary of state in the penal sum of \$10,000, payable to the people of the State of Illinois, to insure the faithful discharge of his duties in said office. The said board shall prescribe the duties of its officers and adopt rules and regulations, not inconsistent with this act, to govern its proceedings; and also shall adopt a seal, and the secretary shall have the care and custody thereof, and he shall keep the record of all of the proceedings of said board, which shall be open at all times to public scrutiny. All certificates issued by the state board of optometry shall be signed by the president and attested by the secretary with the seal of said board attached to or impressed thereon. Every such certificate shall be prima facie evidence of the right of the holder to practice optometry. The president and secretary shall have power to administer oaths and the board to take testimony in all matters relating to its powers and duties, and for that sake thereof shall be able to compel the attendance of witnesses and the production of all necessary books, papers or documents, upon the proper service of a subpoena in proper form, duly attested.

Sec. 5. It shall be the duty of the board to examine all applications for registration submitted in proper form; to grant certificates of registration to such persons as may be entitled to the same under the provisions of this act; to cause the prosecution of all persons violating its

provisions; to report annually to the governor the condition of optometry in the State of Illinois, which said report shall also furnish a record of the proceedings of the board for the year and an itemized statement of all moneys received and disbursed, with the names of all optometrists registered under this act, and shall contain a copy of all rules adopted by said board of optometry, and to do all other things necessary to carry out the provisions of this act.

Sec. 6. The board shall have the power to make by-laws for the proper fulfillment of its duties under this act and shall keep a book of registration in which shall be entered the names and places of practice or business of all persons registered under this act, which book shall also specify such facts as said persons shall claim to justify their registration. The president of the board may call a special meeting at any time. Three members shall constitute a quorum and the records of the board shall at all times be open to public inspection.

Sec. 7. The board shall hold meetings for the examination of applicants for registration and the transaction of such other business as shall pertain to its duties at least once in three months, one of which meetings in every year shall be held in the city of Chicago and one in the city of Springfield; it shall give thirty days' public notice of the time and place of all such meetings.

Sec. 8. The secretary of said board shall receive a salary which shall be fixed by the board, but which shall not exceed the sum of fifteen hundred dollars per annum, payable quarterly out of the state treasury, on the warrant of the auditor of public accounts, out of any money which may from time to time be appropriated to pay the salaries of the officers of the state government. Each member of the board shall receive as compensation for his services the sum of seven dollars for each day engaged in this service and all legitimate and necessary expenses incurred in attending the meetings of the board, payable out of the state treasury on the warrant of the auditor of public accounts, out of any money which may from time to time be appropriated to pay the salaries of the officers of the state government, said warrant to be based upon vouchers certified to as correct by three members of the said board, and approved by the governor.

All moneys payable under this act shall be paid to the secretary, who shall pay them into the state treasury monthly.

Sec. 9. Any person who shall within three months after this act takes effect, forward to the state board of optometry an application for registration, accompanied by satisfactory proof that he was continuously engaged in the practice of optometry at an established place of business or practice for three years next preceding the date this act takes effect, shall, upon the payment of a fee of five dollars, be granted a certificate of registration as registered optometrist without examination. Provided, that in case of failure or neglect to register within three months' time limit as herein provided, such person shall be deemed to have waived his right to registration under this section, and in order to be registered shall comply with the requirements for registration by examination.

Sec. 10. Any person of good moral character, temperate habits and not less than twenty-one years of age, who shall present satisfactory

evidence to the state board of optometry that he has studied not less than two years in the office of a registered optometrist or that he has graduated from a school of optometry maintaining a standard satisfactory to the board, shall be entitled to an examination before said board for a certificate of registration upon making application, in such manner and form as shall be prescribed by the board, accompanied by the fee hereinafter specified. If the said examination shall be satisfactory to the board as to the qualifications of the applicant for the practice of optometry he shall be granted the certificate of registration by examination.

Sec. 11. Every such applicant for registration by examination shall pay to the secretary of the board at the time of filing his application a fee of ten dollars, which, if he does not pass the examination, shall also entitle him to a second examination if taken within one year. Should the second examination be satisfactory, he shall, before a certificate is granted, pay an additional fee of five dollars.

Sec. 12. The said board may, in its discretion, upon payment of a fee of five dollars, grant certificates of registration to the licentiates by examination of such other boards as shall prescribe similar recognition of its licentiates.

Sec. 13. Every person to whom a certificate of registration is granted under this act shall display the same in a conspicuous place in his principal office, place of business or employment. Any person violating the provision of this section shall be liable on conviction thereof to pay a fine of fifty (\$50.00) dollars.

Sec. 14. The state board of optometry may refuse to grant a certificate of registration to any person guilty of felony, gross immorality or malpractice, or who has an infectious or contagious disease, or is a victim to the use of alcoholic liquors or narcotic drugs to such an extent as to render him unfit for the practice of optometry; and the said board may, after due notice and hearing, revoke or suspend any certificate for like cause or any certificate procured by misrepresentation or fraud.

Sec. 15. Every registered optometrist who desires to continue the practice of optometry shall annually, on such date as the state board of optometry may determine, pay to the secretary of the board a renewal registration fee to be fixed by the board, but which shall in no case exceed two dollars per annum, for which he shall receive a renewal of his certificate.

In case of neglect to pay the renewal registration fee herein specified for any certificate within the time prescribed by the said board, the board may revoke such certificate and the holder thereof may be reinstated only by complying with the conditions specified in this act for the registration of unregistered persons. But no certificate or permit shall be revoked without giving sixty days' notice to the delinquent who, within such period, shall have the right of renewal of such certificate on payment of the renewal fee with such penalty, not exceeding twenty-five dollars, as said board may determine. Provided, that retirement from practice for a period not exceeding five years shall not deprive the holder of said certificate of the right to renew his certificate on the payment of all lapsed fees.

Sec. 16. Every renewal certificate issued by the state board of optometry under this act shall expire each year on the 31st day of December following the issuance of the same.

Sec. 17. It shall be unlawful on and after three months, from the date that this act takes effect, for any person to practice, or to profess or advertise to practice, optometry, or to test and examine eyes and recommend glasses therefor, unless he shall first have obtained a certificate from the state board of optometry as hereinbefore provided. Any person who shall violate any provision of this section shall be liable upon conviction thereof to pay a fine of not less than twenty-five dollars nor more than one hundred dollars for every such offense.

Sec. 18. It shall be unlawful for any person, not a registered optometrist, to open or conduct a store, shop, office or other place of business, where eyes are tested and spectacles or eyeglasses are recommended and sold, unless such person shall employ and place in active and personal charge thereof a registered optometrist.

It shall be unlawful for the proprietor of any store, shop, office, or place of business, as aforesaid, to allow any person in his employ to examine and test the eyes of another and to recommend glasses therefor unless such person shall be a registered optometrist.

Any person violating any provision of this section shall be liable upon conviction thereof to pay a fine of not less than twenty-five dollars nor more than one hundred dollars for every such offense.

Sec. 19. Every person registered under this act shall cause his original certificate or permit to be registered with the county clerk of each and every county in which he shall practice, and the date of registration shall be endorsed thereon. And whenever practicing said profession of optometry outside of, or away from, his principal office or place of business, he shall deliver to each customer or person he shall fit with glasses a bill of purchase bearing the date thereof, which shall contain his signature, home postoffice address and the number of his certificate or registration. The clerk of the county may charge a registration fee not exceeding twenty-five cents for every such certificate. For failure or neglect by the holder to register any certificate as provided in this section the state board of optometry may revoke the same, subject to reinstatement only on payment to the said board of a penalty of not less than twenty-five dollars nor more than one hundred dollars.

Sec. 20. All suits for the recovery of the penalties prescribed in this act, shall be prosecuted in the name of the "People of the State of Illinois," in any court having jurisdiction and it shall be the duty of the state's attorney of the county where such offense is committed to prosecute all persons violating the provisions of this act upon proper complaint being made. All penalties collected under the provisions of this act shall inure to the state board of optometry and by them be turned over to the state treasurer, with the regular report.

ARKANSAS OPTOMETRY LAW.

1915.

Be It Enacted by the People of the State of Arkansas:

Be It Enacted by the General Assembly of the State of Arkansas:

Section 1. The practice of optometry is defined to be the employ-

ment of any means, other than the use of drugs, medicine or surgery, for the measurements of the powers of vision. The employment of tests for examinations for the determination of the natural and functional deficiencies of the eye, and the adaptation of lenses for the aid thereof.

Sec. 2. A state board of optometry is hereby created, which shall consist of five regular optometrists who are members of the Arkansas Optometric Association, and who have been engaged in the regular practice of optometry in this state for a period of three years. Before entering upon their duties they shall take the oath prescribed for state officers, which oath shall be filed with the secretary of state. They shall be appointed by the governor, and shall hold office, one for one year, one for two years, one for three years, one for four years, and one for five years, and until their successors are appointed and qualified. Their successors shall possess like qualification and shall be appointed by the governor, each for a period of five years, and all vacancies shall be filled by appointment by the governor.

Sec. 3. The board, at its first regular meeting, and annually thereafter, shall elect one of its members as president, and one as secretary and treasurer. The board may administer oath for this purpose. A record of its proceedings shall be kept, and shall be opened at all reasonable times to public inspection. The board shall meet at least twice a year, the time and place of meeting to be designated by the president, five days' notice of which shall be given to the members by the secretary. A majority of the board shall constitute a quorum.

Sec. 4. Three months after the passage and approval of this act, except as otherwise provided herein, no person shall practice optometry as defined in section 1 of this act until he shall have passed an examination conducted by the board, in theoretic, practical and physiological optics, theoretic and practical optometry, and in the anatomy and physiology of the eye, and shall have been registered and shall have received a certificate of registration, which certificate shall have conspicuously printed upon its face the definition of optometry as defined in section 1. Every applicant for examination shall present satisfactory evidence that he is over twenty-one years of age, of good moral character, has a preliminary education equivalent to at least two years in a public high school and has also studied the subjects herein prescribed for at least two years, or has graduated from a school of optometry maintaining an attendance course of study of not less than two years; but any person actually engaged in the practice of optometry in this state at the time of the passage and approval of this act shall be entitled to take such examination merely upon proof satisfactory to the board that he is of good moral character. Any person who has been actually engaged in the practice of optometry in this state for one year preceding the date of the passage of this act may continue in such practice for a period of two years from the approval of this act without taking the said examination and without the said certificate; provided, that he shall, on or before three months after the approval of this act, file with the board an affidavit, stating his name, place of business, and the date of his commencing such practice, the affidavit to be signed by two reputable citizens, certifying

as to his character and business standing, and to be satisfactory to the board. The affidavit, if accepted, shall be recorded by the board. Any person whose affidavit has been so accepted and recorded and who is in the actual practice shall, before the expiration of said period of two years, if he desires to continue in such practice thereafter, present himself before said board for examination in practical optics, and if the board is satisfied of his competency to practice optometry, he shall be registered and receive his certificate as aforesaid, upon his paying a fee of \$10.00 to the board. The original appointees to the board of registration shall be entitled to certificates of registration by virtue of their appointment, without examination.

Sec. 5. The board shall, at the request of applicants for examination, meet at such times and places as it may deem reasonable. Each applicant shall deposit the sum of \$15.00 with the treasurer of said board, \$5.00 of which shall be returned to the applicant if he fails to pass a satisfactory examination. The board shall keep minutes of its meetings, which shall show, among other things, the name of each person examined, the result of examination and action of the board thereon.

Sec. 6. Each member of the board shall receive \$5.00 for each day of actual service, with mileage at the rate of three cents per mile for the distance necessarily traveled in going to and returning from the place of the meeting. Such remuneration shall be paid exclusively from the fees collected by the board. On the first day of January of each year the board shall submit a report to the governor, showing, among other things, the names and addresses of applicants licensed during the year, and the receipts and disbursements of the board. A treasurer of the board shall execute a bond for the state in the penal sum to be fixed by the board conditioned for the faithful performance of the duties of his office.

Sec. 7. The board shall have the power to revoke any certificate or license, or to suspend the same for fraud or deceit or for conviction of crime or for habitual drunkenness, or for gross incompetency; provided, however, that before any certificate shall be revoked, the holder thereof shall have written notice of the charge or charges made against him, and the day specified in said notice, at least five days after the service thereof, at which a public hearing is to be given, where the accused shall have an opportunity to produce testimony in his own behalf and to confront the witnesses against him. Three of the members of the board shall be a quorum for such hearing.

Sec. 8. It shall be unlawful for any one to practice optometry without first having his license, or a certified copy thereof, registered in the office of the circuit clerk of each county in which he practices. For the filing of said license the clerk shall receive a fee of fifty cents, and he shall record the same in a book by him kept for that purpose.

Sec. 9. Every registered optometrist shall annually pay to the treasurer of the board the sum of \$2.00 as a license fee for such year, which shall be made on or before the first day of January following the year of the granting of the license, and in case of default of such payment by any person so registered, his certificate may be revoked by the board upon thirty days' notice by said board.

Sec. 10. All fees collected from applicants for license to practice optometry and from applicants for renewal license shall be paid to treasurer of this board and same shall be used by said board for the purpose of prosecuting violators of this act and to defray the official expenses of the board.

Sec. 11. No person not a holder of a certificate of registration or other certificate duly issued to him and recorded as herein provided shall three months after the passage of this act, practice optometry in this state. No person shall falsely impersonate a registered optometrist of a like or different name, nor buy, sell or fraudulently obtain a certificate of registration issued to another person practicing or offering to practice optometry, or the public representation of being qualified to practice the same by any person not authorized to practice optometry, shall be sufficient evidence of the violation of this act. Any person violating this act shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by fine of not less than \$25.00 or more than \$200.00, or imprisonment in the county jail not more than three months, or both.

Sec. 12. Nothing in this act shall be construed to apply to physicians and surgeons authorized to practice under the laws of Arkansas, nor to persons who neither practice nor profess to practice optometry, or who sell spectacles, eyeglasses or lenses, either on prescription from such physicians, surgeons or optometrists, or as merchandise at regular established places of business, or to veterans of the Civil War.

Sec. 13. This act, being necessary for the public peace, health and safety, shall take effect and be in force from and after its passage, and all laws and parts of laws in conflict herewith are hereby repealed.

PENNSYLVANIA OPTOMETRY LAW.

1915.

An act to regulate the practice of optometry in Pennsylvania, defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a bureau of optometrical education, examination and licensure as a bureau of the department of public instruction and means and methods whereby the right to practice optometry may be obtained, and providing for the means to carry out the provisions of this act, and providing for revocation or suspension of licenses given by said bureau, and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith.

Whereas, the eyesight of the citizens of this commonwealth is endangered by incompetent persons practicing optometry and due regard for the safety and protection of the citizens demand that only authorized and qualified optometrists shall be permitted to practice optometry.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same, That the practice of optometry is hereby defined to be the employment of any means other than the use of drugs for the measurement of the powers of vision and the adaptation of lenses for the correction and aid of the vision of human beings.

Sec. 2. That on and after January 1, 1916, it shall not be lawful for

any person in this commonwealth to engage in the practice of optometry or to hold himself out as a practitioner of optometry or to attempt to determine by an examination of the eyes the kind of glasses needed by any person or to hold himself out as a licensed optometrist when not so licensed or to hold himself out as able to examine the eyes of any person for the purpose of fitting the same with glasses excepting those hereinafter exempted unless he has first fulfilled the requirements of this act and has received a certificate of licensure from the bureau of optometrical education, examination and licensure created by this act, nor shall it be lawful for any person in this commonwealth to represent that he is the lawful holder of a certificate of licensure such as is provided for in this act when in fact he is not such lawful holder, or to impersonate any licensed practitioner of optometry or to fail to deliver the certificate provided for in section six of this act.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and shall upon conviction be subject upon first offense to a fine of not more than five hundred dollars or imprisonment for not more than six months in the county prison, or both or either at the discretion of the court, and upon conviction on second or later offense shall be subject to a fine of not less than five hundred dollars nor more than one thousand dollars and imprisonment for not less than six months nor more than one year at the discretion of the court.

Sec. 3. For the purpose of carrying out and enforcing the provisions of this act there shall be established in this commonwealth a bureau of the department of public instruction which shall be known as the bureau of optometrical education, examination and licensure of the department of public instruction of the Commonwealth of Pennsylvania. The said bureau shall consist of seven members, one of whom the superintendent of public instruction shall be ex-officio a member thereof; the six remaining members shall be appointed by the governor of the commonwealth on or before September 1st, 1915. Each member shall receive a certificate of his appointment signed by the governor and attested by the secretary of the commonwealth. Only optometrists, citizens of this commonwealth who possess the requisite qualifications to practice optometry under this act, and who shall have been so practicing in this state during the five years next previous to their appointment, shall be eligible to appointment. The appointment of members of said bureau shall be made from the list of members of the optical society of the State of Pennsylvania submitted to the governor by the executive committee of said society, and future appointments from a similar list submitted annually by said committee. Two members of the bureau first appointed under this act shall serve for one year, two for two years and two for three years, after which the successor of each member shall be appointed for the term of three years, but no member of said bureau shall be a member of the faculty of any undergraduate school or college teaching optometry. The first appointees shall, by virtue of such appointment, receive certificates of licensure without examination. The governor shall, by appointment, fill all vacancies caused by death, resignation or otherwise, and may remove any member of said bureau for continued neglect of his duties in connection therewith or for any unprofessional or dishonorable conduct, but only upon due proof of such

neglect or unprofessional or dishonorable conduct and after an opportunity has been given such member for a hearing. Appointments to fill vacancies occurring through death, resignation, or otherwise shall be for the unexpired term of the deceased or retiring member.

Sec. 4. Said bureau shall effect its organization immediately after the appointment of its members by the governor by holding a meeting at which it shall elect from its membership a president and secretary, who shall also be treasurer. It shall have authority to make rules and regulations not inconsistent with the laws of this commonwealth for the transaction of its business and for the registration of all optometrists of this commonwealth and for conducting examinations of applicants. Said rules shall be printed in pamphlet form for public distribution and may be published in such newspapers in Philadelphia, Pittsburgh and Harrisburg as may be designated by the bureau. Five members shall constitute a quorum for the transaction of all business except for the consideration of the revocation or suspension of a certificate of licensure or the refusal to grant a certificate of licensure or the determination of the fitness of any college to render eligible its graduates for licensure when the unanimous consent of all seven members shall be necessary. Said bureau shall meet at least twice a year at Harrisburg. Any member may administer oaths and take testimony when appointed so to do by the bureau. The appointed members shall receive compensation at the rate of ten dollars per day and necessary expenses for each day actually devoted to the work of the bureau, and the superintendent of public instruction shall receive two hundred and fifty dollars per annum as compensation for his services as a member of the bureau.

Sec. 5. Every person desiring to commence the practice of optometry or if now in practice to continue the practice thereof after January 1st, 1916, except as herein otherwise provided, shall take the examination provided in this act and satisfy the other requirements hereof as herein provided. Any person who has been engaged in the practice of optometry in this commonwealth for two full years prior to the passage of this act or for one year in this and for the year preceding it in another state, and is of good character, and shall be entitled to take a limited examination covering the following matters only:

- (a) The limitations of the sphere of optometry.
- (b) The necessary scientific instruments used.
- (c) The form and power of lenses used.
- (d) A correct method of measuring presbyopia, hypermetropia, myopia and astigmatism.
- (e) The writing of formulas or prescriptions for the adaptation of lenses in aid of vision.

Any person over the age of twenty-one years, of good moral character, who has had a preliminary education equivalent to two years of the course of a high school whose standard is approved by the department of public instruction, which preliminary education shall be ascertained by examination or by acceptable certificate as to credits for work done in such approved institution and has graduated from a school of optometry approved by said bureau, which maintains a course in optometry of not less than two years, and has afterwards studied optometry for at least one year in a licensed optometrist's office, shall be

entitled to take a standard examination. Said standard examination shall consist of tests in practical, theoretical and physiological optics in theoretical and practical optometry and in the anatomy and physiology of the eye and in pathology as applied to optometry. Provided, however, that any person not less than twenty-one years of age, who is actually engaged in the practice of optometry at the time of the passage of this act shall be entitled to take the standard examination merely upon proof to the bureau that he is of good moral character and is not addicted to the intemperate use of alcohol or narcotic drugs.

Sec. 6. Every person desiring to be licensed as in this act provided shall file with the secretary of said bureau upon appropriate blanks to be furnished by said secretary an application verified by oath setting forth the facts which entitle the applicant to examination and licensure under the provisions of this act. The said bureau shall hold at least two examinations each year. In case of failure at any standard examination the applicant after the expiration of six months and within two years shall have the privilege of a second examination by the bureau without the payment of an additional fee. In case of failure at any limited examination the applicant shall have the privilege of continuing the practice of optometry and of taking a second and third examination without the payment of an additional fee. But in the event of his failing to pass the examination on or before January 1st, 1917, he shall thereafter cease to practice optometry in this commonwealth. Every applicant who shall pass the standard examination or the limited examination as the case may be, and who shall otherwise comply with the provisions of this act, shall receive from the said bureau under its seal a certificate of licensure entitling him to practice optometry in this commonwealth, which certificate shall be duly registered in the office of the superintendent of public instruction of this commonwealth in a record book to be properly kept for that purpose, which shall be open to public inspection, and a duly certified copy of said record shall be received as evidence in all courts of this commonwealth in the trial of any case. Each person to whom a certificate shall be issued by said bureau shall keep said certificate displayed in a conspicuous place in the office or place of business wherein said person shall practice optometry, together with the photograph of said person attached to the lower right hand corner of said certificate, and shall whenever required exhibit the said certificate to any member or agent of said bureau. Whenever any such person shall practice optometry outside or away from his office or place of business, he shall deliver to each person fitted with glasses by him a certificate signed by him wherein he shall set forth the amount charged, his post office address and the number of his certificate. Each person to whom a certificate has been issued by said bureau shall, before practicing under the same, register said certificate in the office of the prothonotary in each county wherein he proposes to practice optometry, and shall pay therefor such fee as may be lawfully chargeable for such registry. The prothonotary in each county shall keep a book for registering such certificates in the manner now provided by law for the registry of certificates of licensure of practitioners of medicine and surgery.

Sec. 7. Said bureau of optometrical education, examination and

licensure shall charge the following fees for all examinations that may be conducted by it: The sum of twenty-five dollars for a standard examination, ten dollars for a limited examination, one dollar per annum for a revision of the record of each certificate issued by it so long as the person to whom it was issued continues to practice optometry. It shall adopt a seal and certificate of suitable design, and shall have an office at Harrisburg, in this commonwealth, where examinations may be held and where all its permanent records shall be kept, which records shall be open to public inspection. It shall have power to make requisition upon the proper state officials for offices, rooms and supplies, including stationery and furniture. All printing and binding necessary for the work of said bureau shall be done by the state printer upon an order issued by said bureau through its president and secretary to the superintendent of public printing and binding.

Sec. 8. All fees received by said bureau for examinations or from any other source shall be utilized in regulating the practice of optometry and paying the expenses of the bureau as provided for in this act, any surplus to be turned over to the state treasurer at least once in each twelve months. An annual audit of the accounts of the bureau shall be made by the auditor general of the commonwealth. The treasurer of said bureau shall give a bond to the commonwealth of Pennsylvania in the sum of two thousand five hundred dollars for the faithful performance of his duties; said bond to be approved by the bureau of optometrical education, examination and licensure and by the attorney general of the commonwealth, who shall be custodian of the bond.

Sec. 9. The bureau of optometrical education, examination and licensure shall refuse to grant a certificate of licensure to any applicant and may cancel, revoke or suspend the operation of any certificate by it granted for any and all of the following reasons, to-wit: The conviction of a crime involving moral turpitude, habitual intemperance in the use of ardent spirits or stimulants, narcotics or any other substance which impairs the intellect and judgment to such an extent as to incapacitate for the performance of the duties of an optometrist, the certificate of licensure of any person convicted of a violation of Section 2 of this act shall be ipso facto revoked.

Any person who is the holder of a certificate of licensure or who is an applicant for examination for a certificate of licensure against whom is preferred any charges, shall be furnished by the bureau with a copy of the complaint and shall have a hearing before the bureau, at which hearing he may be represented by counsel. At such hearing witnesses may be examined for and against the accused respecting the said charges, which examination shall be conducted in the manner usually followed in the taking of testimony before commissions in this commonwealth. The suspension of a certificate of licensure by reason of the use of stimulants or narcotics may be removed when the holders thereof shall have been adjudged by the said bureau to be cured and capable of practicing optometry.

Sec. 10. An applicant for a certificate of licensure who has been examined by the state board of optometrical examiners of another state which through reciprocity similarly accredits the holder of a certificate issued by the bureau of optometrical education, examination and licen-

sure of this commonwealth to the full privilege of practice within such state, shall on the payment of a fee of twenty-five dollars to the said bureau and on filing in the office of the bureau a true and attested copy of the said license certified by the president or secretary of the state board issuing the same, and showing also that the standard of requirements adopted and enforced by said board is equal to that provided for by this act shall, without further examination, receive a certificate of licensure, provided that such applicant has not previously failed at an examination held by the bureau of optometrical education, examination and licensure of this commonwealth.

Sec. 11. Nothing in this act shall be construed as conferring on the holder of any certificate of licensure issued by said bureau the title of doctor, oculist, ophthalmologist or any other word or abbreviation indicating that he is engaged in the practice of medicine or surgery or in the treatment or the diagnosis of diseases of or injuries to the human eye or the right to use drugs or medicines in any form for the treatment or examination of the human eye.

Sec. 12. The provisions of this act shall not apply to physicians or surgeons practicing under authority of licenses issued under the laws of this commonwealth for the practice of medicine or surgery or persons who sell spectacles and eyeglasses who neither practice nor profess to practice optometry.

Sec. 13. This act shall take effect and be in full force from the date of the appointment of the said bureau by the governor as herein provided.

Sec. 14. Wherever in this act the singular number is used it shall be interpreted as meaning both singular and plural if compatible with the sense of the language used, and vice versa, and wherever in this act the masculine gender is used it shall be construed as comprehending also the feminine gender.

Sec. 13. All acts or parts of acts inconsistent with this act are hereby repealed, it being intended that this act shall furnish a complete and exclusive system of and in itself for obtaining the right to practice optometry in the Commonwealth of Pennsylvania and for the regulation of the practice of optometry therein.

TENNESSEE OPTOMETRY LAW.

1915.

An act to be entitled an act to define and regulate the practice of optometry in the State of Tennessee, and to provide penalties for the violation of this act, and to repeal Chapter 39 of the Acts of 1907, being an act to regulate the practice of optometry in the State of Tennessee and punish violators thereof, and to repeal Chapter 131 of the Acts of 1909, being an act entitled an act to amend an act entitled "An Act to regulate the practice of optometry in the State of Tennessee, and to punish violators thereof," said act being Chapter 39 of the Acts of the General Assembly of the State of Tennessee, passed February 6, 1907, and approved February 12, 1907."

Section 1. Be it enacted by the General Assembly of the State of Tennessee that the practice of optometry in the State of Tennessee is hereby defined to be "the employment of any method or means, other than the use of drugs, for the measurement of the powers of vision and

the adaptation of lenses for the aid thereof, embracing graduated test type on charts or cards, use of trial lenses, or other scientifically constructed instruments that reveal the static and refractive conditions of the eye, and make known the proper corrections.

Sec. 2. Be it further enacted that it shall be unlawful for any person to practice or attempt to practice optometry, or to profess by public advertisement in any manner to practice optometry in the State of Tennessee without first having complied with the provisions of this act as hereinafter provided.

Sec. 3. Be it further enacted that it shall be the duty of the governor to appoint before or on July 1, 1915, a board of examiners, which board is hereby created, whose duty it shall be to carry out the purpose and enforce the provisions of this act. This board shall be known and styled the Tennessee State Board of Optometry, and shall consist of five optometrists actively engaged in the practice of optometry. One member of said board shall be appointed from each of the three grand divisions of the state, and two members of the board from the state at large. Each member of the board shall hold office for five years and until his or her successor is appointed and shall have qualified, except that in the original appointment two members of said board shall be appointed for two years, two for three years, and one for five years from July 1, 1915, the terms of office of each to be designated by the governor at the time of appointment, and their commissions limited accordingly.

Thereafter appointments shall be made by the governor at the expiration of each member's term of office, or to fill vacancies created by death, resignation, removal from the state, or any other cause, from a list of names selected and recommended by the Tennessee (State) Optical Society and transmitted to the governor by the secretary of said society; but all appointments by the governor to fill vacancies caused by death, resignation or removal from the state or removal for any other cause, shall be made for the residue of the term of such member.

All persons so appointed shall have been residents of this state, actively engaged in the practice of optometry as defined in this bill, for at least five years preceding the time of such appointment. No member of said board shall be eligible to serve as member for more than two consecutive terms, and he shall be neither a stockholder, a member of the faculty, or a member of the board of trustees of any school of optometry, or instructor of optometry or financially interested in an exclusive manufacturing or wholesale optical house, or instruments used by optometrists. Members of said board, before entering upon their duties, shall respectively take and subscribe to the oath required for other state officers, and such oaths shall be filed with the secretary of the state.

The governor may remove at his discretion any member for the continued neglect of his duties required by this act.

Sec. 4. Be it further enacted, that said board shall meet at least once in each year, on the first Tuesday in September of each year, at place designated by said board, and in addition thereto, whenever and wherever the president and secretary thereof shall call a meeting, which

they are hereby empowered to do whenever in their judgment the same shall be necessary.

A majority of said board shall constitute a quorum for any meeting and the proceedings thereof shall be open for public inspection.

Said board shall elect at their first regular meeting, and annually thereafter, one of its members as president, and one of its members as secretary and treasurer of said board.

Sec. 5. Be it further enacted, that said board shall prescribe the duties of these officers and shall require the secretary and treasurer to give proper and sufficient bond for the faithful performance of his duties, and said secretary and treasurer shall receive such compensation for his duties as may be determined by the board, which compensation shall not exceed the sum of \$200.00 per annum.

Said board may make such rules and regulations not inconsistent with the laws of the state as may be necessary for the proper performance of its duties and shall have the power and authority to enforce the provisions of this act, and any member of the board may administer oaths and take testimony concerning any matter within the jurisdiction of said board.

Sec. 6. Be it further enacted, that any person having taken the oath above provided for and shall swear falsely to any matter before the said board or any officer thereof shall be guilty of perjury, and shall be punished in the same manner and subject to the same penalties as is now provided by the statute laws of the state for the offense of perjury.

Said board shall have and keep a common seal and shall keep a record of all proceedings of meetings, and a record in which shall be registered the names, post office address, number of certificate, date of issue and how obtained, of all persons authorized under this act to practice optometry in this state.

Sec. 7. Be it further enacted, that any and every person desiring to begin or to continue the practice of optometry in this state after the passage of this act shall, except as hereinafter provided, show to said board by satisfactory evidence verified by oath, that he is more than 21 years of age, of good moral character, has a preliminary education equivalent to at least one year in a public high school as graded and passed in this state, and has also studied not less than two years under a registered optometrist acceptable to the board; or has attended a course in optometry covering a period of not less than two years, or has graduated from a school of optometry maintaining a standard satisfactory to the said board and submitted to an examination to determine his qualifications therefor.

Said examination shall include theoretical, practical and physiological optics, and theoretical and practical optometry, and the anatomy and physiology of the eye.

If the person so presenting himself for examination is possessed of the necessary qualifications the board shall issue to said applicant a certificate of qualification signed by a majority of the members thereof, authorizing him to practice optometry in the state of Tennessee, but not as an itinerant optometrist.

Sec. 8. Be it further enacted, that said examining board shall have the right to register at its discretion, without examination, any person

that submits proof verified under oath as to his moral character, and who has been registered as an optometrist in another state by examination under its laws, which in the opinion of the board maintains a standard substantially similar to that provided for in this act.

Sec. 9. Be it further enacted, that any and all persons who hold a certificate either by exemption or by examination secured before the board of examiners in optometry appointed under the acts of 1907 and 1909, shall be entitled to receive a certificate from the examining board signed by a majority of the members thereof, authorizing him to practice optometry in this state without further examination upon presentation of application, proof verified under oath, and the surrender of the old certificate.

Sec. 10. Be it further enacted, that to provide for the proper and efficient enforcement of this act said board shall charge and collect the following fees, namely:

For issuing certificate of registration as provided for under Sec. 9, \$3.00; for issuing certificate of registration as provided for under Sec. 8, \$25.00; for the examination of an applicant, \$20.00; for the issuing and registration of a certificate as provided for under Sec. 7, \$5.00; for issuing an itinerant license as provided for in Sec. 12, \$25.00.

If an applicant should fail to pass a satisfactory examination he shall be entitled to another examination provided he applies and takes same in not less than six months nor more than twelve months thereafter, without the payment of any additional fee; but for all subsequent examinations which shall occur at intervals of not less than six months, he shall pay a fee of \$10.00.

Sec. 11. Be it further enacted, that said board shall be entitled to receive a fee of \$2.00 for reissuing a duplicate of a certificate of registration that has been lost or destroyed. All fees shall be paid in advance to the secretary and treasurer of said board except the fee of fifty cents, which shall be paid to the county court clerk of the county for recording the certificate.

Sec. 12. Be it further enacted, that it shall be unlawful for any person holding a certificate of registration to practice optometry in this state to become an itinerant practitioner without first having received a license from said board to engage in such practice in this state.

That the said board of examiners shall have the power to issue to persons holding certificates of registration a license to become an itinerant practitioner upon the payment of a fee of \$25.00 per year. No fraction of a year license shall be granted or issued.

The itinerant practitioner of optometry shall be defined as a person, either principal or agent, who engages in a temporary or transient practice in this state, either in one locality or in traveling about the country, or from place to place, or from house to house, soliciting in person or by advertisement, patrons for optometry service.

Sec. 13. Be it further enacted, that every registered optometrist who desires to continue the practice of optometry in this state after the year 1915 shall annually on or before the first day of April of each year pay to the secretary of said board of examiners a registration fee to be fixed by the board, and which shall in no case exceed the sum of \$3.00 per annum, for which he shall receive a renewal of such registration,

and in case of default of said payment by any person, his certificate shall be revoked by the board of examiners on twenty days' notice in writing by the secretary, which notice shall state the time and place at which such revocation shall be considered, and the deposit of such notice in the mails, addressed to the person at his last known place of residence or business, with the proper postage prepaid thereon, shall be due and legal service of such notice, but no certificate shall be revoked for such non-payment if the person so notified shall pay on or before the time of consideration of said revocation, his fee and such penalty as may be imposed by said board, provided said penalty shall not exceed \$10.00.

Any person whose certificate of registration has been revoked for failure to pay his renewal as herein provided, may apply at any time within twelve months to said board to have said certificate reissued, and the same shall be granted to him upon his paying to the board all removal fees which should have been paid had the certificate of registration not been revoked, together with a penalty of \$25.00. The said penalties are hereby declared to be a just and legal charge upon the property and estates of all persons falling within the purview of this act, and said board of examiners are hereby empowered to bring and maintain actions at law against any person in default.

Sec. 14. Be it further enacted that every person to whom a certificate of registration shall be issued shall immediately cause the same to be recorded in the clerk's office of the county of his residence, and also in the clerk's office of each other county wherein he shall then practice or thereafter commence the practice of optometry. Every person practicing optometry must also display his certificate of registration in a conspicuous place in the principal office wherein he practices optometry and whenever required, exhibit said certificate to said board or its authorized representative.

All persons holding certificates as provided for in this act when practicing said profession outside of or away from said office or place of business shall deliver to each customer or person so fitted with glasses, a bill of purchase which shall contain his signature, date of sale, home post office address, and the number of his certificate of registration, together with a specification of the lenses and frame or mounting furnished, and the price charged for same.

Sec. 15. Be it further enacted, that the several county court clerks in this state shall keep in a well bound book provided for that purpose, a complete list of certificates recorded by him, with the date of issue, date of record, number of certificate, name and residence of holder.

On the first day of January in each year hereafter said county court clerk shall make out and forward by mail to the secretary of said board of examiners a full and complete copy of said book for the preceding year, and at the same time reporting all deaths and removals which may have occurred in his county, together with certificate marked revoked.

Sec. 16. Be it further enacted that said board may employ an attorney or other necessary assistants to aid in the enforcement of the provisions of this act, and the expense of same shall be paid out of the

funds in the hands of said board, but it shall in no event be a charge against the state.

Sec. 17. Be it further enacted that the board shall have the power to revoke any certificate of registration or the right of any recorded person to practice or to suspend the same for extravagant claims, or misleading statements made in advertisements, fraud or deceit in practice, or in obtaining his or her certificate of registration, or for conviction of crime, or for habitual drunkenness, or for the excessive use of intoxicating liquors or narcotic drugs, which use shall have been continued for six months immediately preceding the filing of said charges, or for gross incompetency.

Before a certificate shall be revoked charges must be preferred in writing by any registered optometrist in the state or by any person or corporation in the state, or the board may of its own motion, direct the secretary of the board to prefer charges. Said charges shall be filed with the secretary of the board, and before any action is taken the accused party shall have written notice of the charge or charges made against him, which notice shall be mailed to his last known address, with the proper postage prepaid thereon, and a day specified therein, which day shall be at least ten days after the service thereof, at which time a public hearing will be given before said board, where the accused shall have the opportunity to produce testimony in his own behalf, and confront the witnesses against him. Three of the members of the board shall constitute a quorum for any such hearing.

Witnesses at such hearing shall testify under oath, which may be administered as hereinbefore provided. The board shall have the power to compel the attendance of witnesses and the production of documents at any such hearing.

If the board shall find, after investigation, that said charges, or any of them, are sustained the secretary shall be instructed to revoke and annul the certificate of such person and shall forthwith transmit to the clerk of the county or counties in which said accused person is registered as an optometrist, a notice under the seal of the board, certifying that such registration has been revoked, or annulled, as the case may be, and said clerk shall, upon receipt of said notice file the same and forthwith mark the said registration revoked or annulled.

When the certificate of any person to practice under this act has been revoked as herein provided, the board may, at the expiration of one year receive an application for renewal of the right to practice, and upon such new application they may, in their discretion, grant a new certificate. Any person who shall practice optometry after his or her registration has been revoked or annulled shall be deemed to have practiced as without registration and be subject to the penalties therefor as provided by this act.

All fees, assessments, or penalties herein provided shall be paid to the secretary and treasurer, and he shall hold the money coming into his hands and pay same out only on order of the board, signed by the president, for the legitimate expenses incurred by the board or its members in carrying out the provisions of this act. All surplus money received and on hand in excess of \$800.00 shall be paid to the state

treasurer at the end of each fiscal year of said board, which same shall go into and become a part of the common school fund of the state.

Sec. 18. Be it further enacted, that out of the fund coming into the possession of said board each member thereof shall be entitled to receive \$6.00 per day for each and every day actually spent in attendance on said board's business, together with his necessary traveling expenses, provided said member files with the secretary at the time an itemized statement of said expenses, and the same shall be paid from a fund accruing from the fees, assessments and penalties received by the board under the provisions of this act, but no part of the salary or other expenses of the board shall ever be paid out of the state treasury.

Sec. 19. Be it further enacted, that it shall be the duty of the president of the Tennessee (State) Optical Society at each annual meeting after the passage of this act, to appoint a committee of three of its members whose duty it shall be to audit the books and accounts of said board for the past year. Said auditing committee shall submit a report of its findings to the Tennessee (State) Optical Society and to the governor. The expense of said auditing committee shall be paid by the said board.

Sec. 20. Be it further enacted, that the board shall permit said auditing committee to inspect its books, records and minutes of proceedings, and shall furnish the committee with an itemized statement of all optometrists registered under this act and the names of all persons whose certificates of registration have been revoked or annulled during the past year.

Sec. 21. Be it further enacted that said board shall make a complete report of all receipts and disbursements, proceedings and official acts during the preceding year to the governor on August 1st of each year.

Sec. 22. Be it further enacted, that nothing in this act shall be so construed as to apply to physicians lawfully entitled to practice medicine in this state nor to merchants or others who neither practice nor profess to practice optometry who sell spectacles, eyeglasses or lenses, either on prescription from such physicians or from duly qualified optometrists, or as articles of merchandise from permanently located and established places of business, without attempting to test the eyes or attempting to fit said spectacles or eyeglasses or lenses to the eyes of the purchaser.

Sec. 23. Be it further enacted, that it shall be unlawful for any person, firm or corporation to sell or give away eyeglasses as a premium for merchandise or periodicals, or that any person holding himself out as an optometrist or practitioner of optometry, who practices or attempts to practice optometry or holds himself out as a qualified optometrist when not so qualified, or who impersonates a qualified and registered optometrist, or advertises or claims to be able to correct optical defects of the eye, whether for pay or otherwise, or who practices optometry as an itinerant, or attempts so to do without being licensed as herein provided, not being authorized to practice optometry in this state as herein provided, or any person who in any other manner violates any of the provisions of this act, shall be guilty of a misdemeanor and shall for each offense be punished by a fine of not less than \$50.00 nor more than \$200.00, or by imprisonment in the county jail

for not less than one month, nor more than three months, or both, in the discretion of the court. All fines thus received shall be paid to the common school fund of the county in which said conviction takes place.

Grand juries shall have inquisitorial powers in the investigation of any violations of the provisions of this act.

Sec. 24. Be it further enacted, that all acts or parts of acts in conflict with this act be, and the same are hereby repealed.

Sec. 25. Be it further enacted, that this act shall take effect on July 1, 1915, the public welfare requiring it.

Approved May 5, 1915.

NEW YORK OPTOMETRY LAW.

1915.

Sec. 300. *Definition; application of article.* The practice of optometry is defined to be the employment of any means, other than the use of drugs, for the measurement of the powers of vision and the adaptation of lenses for the aid thereof.

Sec. 301. *State Board of Examiners.* The board of examiners in optometry is continued. The members of said board now in office shall continue in office until the expiration of their respective terms. Such board of examiners shall consist of five persons, appointed by the state board of regents, and shall possess sufficient knowledge of theoretical and practical optics to practice optometry and shall have been residents of this state actually engaged in the practice of optometry for at least five years. The term of each member of said board shall be three years, or until his successor is appointed, and vacancies shall be filled for the unexpired term only.

Sec. 302. *Powers of Board.* Said board of examiners shall, subject to the approval of the regents, make such rules and regulations, not inconsistent with the law, as may be necessary for the proper performance of its duties; any member of the board may upon being duly designated by the board, or a majority thereof, administer oaths or take testimony concerning any matter within the jurisdiction of the board.

Sec. 303. *Examinations; Certificates of Practitioners.* Every person desiring to commence or to continue the practice of optometry after January 1, 1909, except as hereinafter provided, upon presentation of satisfactory evidence, verified by oath, that he is more than 21 years of age, of good moral character, has a preliminary education equivalent to at least two years in a registered high school, and has also studied at least three years in a registered optometrist's office, or has graduated from a school of optometry maintaining a standard satisfactory to said board of regents, shall take an examination before said board of examiners to determine his qualifications therefor. Every candidate successfully passing such examination shall be registered by said board of regents as possessing the qualifications required by this article, and shall receive from said board of regents a certificate thereof, but any person who shall submit to said board of examiners satisfactory proof as to his character, competency and qualifications, and that he has been continuously engaged in the practice of optometry in this state for more than two years next prior to the time that Chapter 460 of the laws of 1908 took effect, may upon the recommendation of said board of examiners, receive from the board of regents a certificate of exemption from

such examination, which certificate shall be registered and entitle him to practice optometry under this article. Every person who was, on the 21st day of May, 1908, when Section 209d of the Public Health Law, as then known, took effect, entitled to a certificate of exemption as therein provided, but who failed or neglected to make application therefor and present evidence to entitle him thereto, on or before January 1, 1909, as provided by said section, must make such application and present such evidence on or before July 1, 1909, or he shall be deemed to have waived his right to such certificate. Before any certificate is issued it shall be numbered and recorded in a book kept in the regents' office, and its number shall be noted upon the certificate. A photograph of the person registered shall be filed with the record and a duplicate thereof affixed to the certificate. In all legal proceedings the record and photograph so kept in the regents' office or certified copies thereof shall be prima facie evidence of the facts therein stated.

Sec. 304. *Certificate to be Recorded and Displayed.* Every person to whom a certificate of either registration or exemption shall be issued shall immediately cause the same to be recorded in the clerk's office in the county of his residence, and also in the clerk's office of each other county wherein he shall then practice or thereafter commence the practice of optometry; every person practicing optometry must also display his certificate of registration or exemption in a conspicuous place in the principal office wherein he practices optometry, and, whenever required, exhibit such certificate to said board of examiners or its authorized representatives. And whenever practicing said profession of optometry outside of, or away from, said office or place of business, he shall deliver to each customer or person so fitted with glasses, a bill of purchase, which shall contain his signature, home post office address and the number of his certificate of registration or exemption, together with a specification of the lenses furnished and the price charged therefor.

Sec. 305. *Fees.* The fee for such examination shall be \$15.00; for a certificate of registration, \$10.00, and for a certificate of exemption, \$5.00, to be paid to the board of regents and constitute a fund for expenses made necessary by this article. Such fees shall be paid into the state treasury and the legislature shall annually appropriate therefrom for the education department an amount sufficient to pay all proper expenses incurred pursuant to this article. The fee to be paid to the county clerk for recording a certificate shall be 50 cents.

Sec. 306. *Revocation of Certificate.* The board of regents shall have power to revoke any certificate of registration or exemption granted by it under this article the holder of which is guilty of any fraud or deceit in his practice, has been convicted of crime, or is an habitual drunkard, or grossly incompetent to practice optometry. Proceedings for revocation of a certificate or the annulment of registration shall be begun by filing a written charge or charges against the accused. These charges may be preferred by any person or corporation, or the regents may on their own motion direct the executive officer of the board of regents to prefer said charges. Said charges shall be filed with the executive officer of the board of regents, and a copy thereof filed with the secretary of the board of optometry examiners. The board of

optometry examiners, when charges are preferred, shall designate three of their number as a committee to hear and determine said charges. A time and place for the hearing of said charges shall be fixed by said committee as soon as convenient, and a copy of the charges, together with a notice of the time and place when they will be heard and determined, shall be served upon the accused or his counsel, at least 10 days before the date actually fixed for said hearing. Where personal service or service upon counsel cannot be effected, and such fact is certified on oath by any person duly authorized to make legal service, the regents shall cause to be published for at least seven times for at least 20 days prior to the hearing, in two daily papers in the county in which the optometrist was last known to practice, a notice to the effect that at a definite time and place a hearing will be had for the purpose of hearing charges against the optometrist upon an application to revoke his certificate. At said hearing the accused shall have the right to cross-examine the witnesses against him and to produce witnesses in his defense, and to appear personally or by counsel. The said committee shall make a written report of its findings and recommendations, to be signed by all its members, and the same shall be forthwith transmitted to the executive office of the board of regents. If the said committee shall unanimously find that said charges, or any of them, are sustained, and shall unanimously recommend that the certificate of the accused be revoked or his registration be annulled, the regents may thereupon, in their discretion, revoke said certificate or annul said registration, or do both. If the regents shall annul such registration, they shall forthwith transmit to the clerk of the county or counties in which said accused is registered as an optometrist, a certificate under their seal certifying that such registration has been annulled, and said clerk shall, upon receipt of said certificate, file the same and forthwith mark said registration "annulled." Any person who shall practice optometry after his resignation has been marked "annulled" shall be deemed to have practiced optometry without registration. Where the certificate of any person has been revoked, or his resignation has been annulled as herein provided, the regents may, after the expiration of one year, entertain an application for a new certificate, in like manner as original applications for certificates are entertained; and upon such new application they may in their discretion exempt the applicant from the necessity of undergoing any examination.

Sec. 307. *Violations of Articles.* No person not a holder of a certificate of registration or exemption duly issued to him and recorded as above provided shall after January 1st, 1909, practice optometry within this state. No person shall falsely personate a registered optometrist of a like or different name, nor buy, sell or fraudulently obtain a certificate of registration or exemption issued to another. Practicing or offering to practice optometry, or the public representation of being qualified to practice the same by any person not authorized to practice optometry, shall be sufficient evidence of a violation of this article. No person practicing or offering to practice optometry shall publicly represent himself to be a doctor, or shall assume the title of doctor or use such title or any abbreviation thereof in his practice, unless the right to use the same has been conferred upon him by some duly authorized

college or university, prior to the taking effect of this act. Any violations of the provisions of this article shall be a misdemeanor and courts of special sessions shall have jurisdiction of all such violations.

Sec. 308. *Construction of Article.* Nothing in this article shall be construed to apply to duly licensed physicians authorized to practice medicine under the laws of the State of New York, nor to persons who neither practice nor profess to practice optometry, who sell spectacles, eyeglasses or lenses either on prescription from such physicians or from such duly qualified optometrists, or as merchandise from permanently located and established places of business.

WISCONSIN OPTOMETRY LAW.
1915.

An Act to Create Section 1435f-35 of the Statutes, relating to the practice of optometry in this state.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Section 1. There is added to the statutes a new section to read: Section 1435f-35. 1. The practice of optometry is defined as follows: The employment of any means other than the use of drugs, for the measurement of the powers of vision and the adaption of lenses for the aid thereof.

2. From and after the first day of July, 1916, it shall be unlawful for any person to practice optometry in this state, unless he shall first have obtained a certificate of examination and of registration as herein provided, and shall file the latter or a certified copy thereof with the county clerk of the county wherein he resides.

3. There is created a board whose duty it shall be to carry out the purposes and enforce the provisions of this section. This board shall be styled "The Wisconsin Board of Examiners in Optometry," and shall consist of five members to be appointed by the governor within sixty days from and after the passage of this act. All persons so appointed shall have been residents of this state, actively engaged in the practice of optometry as defined in this section, for at least five years immediately preceding the time of such appointment. Each member of said board shall hold office for five years, and until his successor shall be appointed, except that in the first appointment, one member shall be appointed for one year, one for two years, one for three years, one for four years and one for five years; the term of office of each to be designated by the governor at the time of appointment. Appointments to fill any vacancy caused by resignation, removal, or death of any member of the board, shall be made by the governor. Members of said board of examiners before entering upon their duties shall respectively take the oath required of other officers, said oath to be administered by the secretary of state and filed in his office. Said board shall have a common seal.

4. Said board shall choose at its first meeting and annually thereafter, one of its members as president and one as secretary, who shall severally during their term of office have power to administer oaths and take affidavits, certifying thereto under their hands and seal of the board. Said board shall meet at least once every six months at the state capital, and in addition thereto, whenever and wherever the presi-

dent and secretary thereof shall call a meeting. A majority of said board shall constitute a quorum. The secretary of said board shall keep a full record of the proceedings thereof, which shall be at all reasonable times open to public inspection.

5. Every person before beginning to practice optometry in this state, after the passage of this act, shall pass an examination before said board of examiners, except as hereinafter provided. Said examination shall be confined to such knowledge as is essential to the practice of optometry, and shall include normal and abnormal refractive, accommodative and muscular conditions and co-ordinations of the eye, and subjective and objective optometry, including the fitting of glasses, the principles of lens construction and frame adjusting, and such other subjects as may be deemed necessary.

6. Any person who has been admitted to practice optometry in any other state may be permitted to practice optometry in this state, in the discretion of the board, upon the payment of a registration fee of ten dollars and production of a certificate showing that he has passed an examination in such other state, and has actually practiced optometry therein for a term of two years.

7. Any person, having signified to the board of examiners his desire to be examined by it, shall appear before the board at such time and place as the board may designate. No person shall be eligible to take the examination before said board unless he is at least twenty-one years of age and shall have attended an optometry school for at least one year, a year's course to consist of not less than one thousand hours of actual instruction; or shall have served as assistant to a registered optometrist for at least two years and shall have registered with said board as an assistant optometrist at least two years before appearing for examination; provided, that all persons exempt shall have the privilege of taking such examination regardless of previous training. Said board is authorized and empowered to make such rules and regulations for conducting its examinations and for the standard of professional or special qualifications, as it may deem necessary. Before beginning such examination, each applicant shall pay to the secretary of the board the sum of ten dollars, and if he shall successfully pass the examination there shall be issued to him a certificate of examination and registration. All persons successfully passing such examinations shall be registered in a board register, which shall be kept by the secretary of said board.

8. Every person of at least twenty-one years of age and of good moral character who, at the time of the passage of this act, is engaged in the practice of optometry, as defined in sub-section 1 of this section, in this state, shall, within six months after the passage of this act, file an affidavit in proof thereof, together with the affidavits of two freeholders, with the secretary of said board, showing that he has been a resident of the State of Wisconsin for at least two years prior to the enactment of this act; and shall submit to an examination before such board, such examination to be in practical optics only. If such proof and examination are satisfactory to the board, he shall be granted a certificate of registration and examination.

9. Each recipient of said certificate of examination and registration

shall present the certificate of registration, or a certified copy thereof, for record to the county clerk of the county in which he resides, and shall pay a fee of fifty cents to the county clerk for recording the same. Said clerk shall record such certificates in a book to be provided by him for that purpose.

10. Any person so licensed, removing his residence from one county to another, or desiring to practice optometry in any other county than the one in which he resides, shall, before engaging in the practice of optometry in such other county, obtain from the county clerk in whose office said certificate was originally recorded, a copy of such record, certified, or obtain a new certificate of registration from the board of examiners, and shall, before beginning the practice of optometry in said other county, file same for record with the county clerk of the county to which he has removed or in which he desires to practice, and shall pay the clerk thereof for recording the same a fee of fifty cents.

11. Any failure, neglect or refusal on the part of any person holding such certificate, or copy of record, to file same for record as hereinbefore provided for six months after the issuance thereof shall forfeit the same. Said board shall be entitled to a fee of one dollar for the reissuance of any certificate, and the county clerk of any county shall be entitled to a fee of one dollar for making and certifying the record of any such certificate.

12. Every person, firm or corporation engaging in the practice of optometry shall cause to be displayed and kept in a conspicuous place, at the entrance of the place of business of such person, firm or corporation, the same of each and every person employed therein in the practice of optometry. Any person, firm or corporation violating the provisions of this sub-section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as hereinafter provided.

13. Each member of the board of examiners shall receive as compensation the sum of eight dollars for each day actually spent in performing the duties of said office, and in addition, his actual and necessary expenses. The secretary shall have such additional compensation as may be determined by the members of the board. The secretary shall give such bonds as the board may determine. Said board shall, on the first day of January of each year, make an annual report of its proceedings to the governor, which report shall contain an account of all of the moneys received and disbursed by them pursuant to this section. All moneys collected or received by each and every person for or on behalf of the Wisconsin board of examiners in optometry, in excess of one thousand dollars, shall be turned into the general fund of the treasury on the first day of January of each year. The president and secretary of said board shall, under oath, file annually with the governor a complete list of all registered optometrists possessing the proper qualifications to serve as members of the board of examiners as hereinbefore provided.

14. All registered optometrists shall pay annually to the board of examiners the sum of two dollars as a license fee for such year, the first payment to be made on or before the first day of January, 1916. In case of default of such payment by any person, his certificate may be revoked

by the board of examiners upon thirty days' notice of such proposed revocation to the holder of such certificate.

Sec. 15. Said board shall have power to revoke any certificate granted by them, if said certificate was obtained through error or fraud, or if the recipient thereof shall be shown to be grossly incompetent in the practice of optometry, or if it be shown that the holder thereof has obtained, or sought to obtain, money or any other thing of value by false or fraudulent representation in the practice of optometry. But before any certificate shall be revoked, the holder thereof shall enumerate the charges against him, and shall specify a date not less than thirty days after the service of such notice for a hearing by said board, and such person shall have opportunity to confront witnesses appearing against him, and to produce testimony in his own behalf. A stenographic report of such proceedings to revoke a license shall be made by the board and the transcript thereof kept in its files. The person whose license has been revoked may, within thirty days after the decision of the board, file with the secretary a written notice of appeal to the circuit court of the county wherein such person resides. Upon the filing of such notice, the secretary shall transmit to the attorney general a certified copy of the record and transcript of testimony of such proceedings, and the attorney general shall defend said board in the circuit court. Said circuit court shall affirm or overrule the action of the board, and such decision shall be final.

16. Any person whose certificate has been revoked for gross incompetence may, upon satisfactory proof to the board that such condition has been remedied, have the same regranted him.

17. Every person who, after the passage of this act, shall begin the practice of optometry in this state, or who shall continue in the practice of optometry after the first day of January, 1916, without having obtained a certificate of examination and of registration, or who, not having obtained such certificate, shall hold himself out to the public as qualified to engage in the practice of optometry as defined in this section, or any person who shall violate any of the provisions in this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not less than one month nor more than three months, or by a fine of not less than twenty dollars nor more than one hundred dollars, or by both such fine and imprisonment.

18. It shall be the duty of the respective district attorneys to prosecute all violations of this section and jurisdiction of any violation thereof is extended to such courts as have jurisdiction over misdemeanors committed in the jurisdiction of the respective counties.

19. Nothing in this section shall be construed to apply to physicians and surgeons authorized to practice under the laws of this state, nor to persons who shall sell spectacles without attempting to test the eyes.

Sec. 2. This act shall take effect upon passage and publication.

The vote in the Senate and Assembly was:

Senate—Ayes, 21; noes, 11.

Assembly—Ayes, 63; noes, 11.

VIRGINIA OPTOMETRY LAW.

Approved March 11, 1916.

1. Be it enacted by the general assembly of Virginia, That the practice of optometry is hereby defined to be the employment of any means other than the use of drugs, for the determination of natural and functional deficiencies of the eyes and the adaptation of lenses for the aid thereof, and it shall be unlawful for any person to practice optometry in this state after the passage of this act, except as hereinafter provided.

2. That a board be, and the same is hereby established, composed of five members, whose duty it shall be to carry out the purposes and enforce the provisions of this act, and which shall be styled the "Virginia State Board of Examiners in Optometry." The governor shall, within sixty days from and after this act goes into effect, appoint five persons as such board, and who shall possess sufficient knowledge of theoretical and practical optics to practice optometry, and who shall have been residents of this state actually engaged in the practice of optometry within the meaning of this act for at least two years. For the purpose of such appointment, the Virginia State Optical Association, Incorporated, shall furnish the governor with the names of twice the number of examiners to be appointed, and thereafter similarly for each vacancy or new appointment and the governor may select said board from the names so furnished.

3. That the term of each member of said board shall be three years, or until his successor is appointed, and vacancies shall be filled for the unexpired term only, but in the original appointment of the members of the board two shall be appointed for a term of one year, two for two years, and one for three years.

4. That the said board shall make such rules and regulations not inconsistent with the law, as may be necessary for the proper performance of its duties; any member of the board may upon being duly designated by the board, or a majority thereof, administer oaths or take testimony concerning any matter within the jurisdiction of the board; the board shall adopt a seal and the secretary shall have the custody thereof, and shall keep a record of all proceedings of the board, which shall be open to the public at all proper times for inspection. Said board shall make annual report of its proceedings to the governor, including the names of all persons who have been registered and have license in force, and an account of all moneys received and disbursed by them, pursuant to this act, during the preceding year.

5. That provision shall be made by said board for holding examination of applicants for registration to practice optometry, at least twice in each year, if there be any such applicants.

6. That every person desiring to commence or to continue the practice of optometry after January the first, 1917, except as hereinafter provided, upon presentation of satisfactory evidence, verified by oath, that he is of more than twenty-one years of age, of good moral character, has a preliminary education equivalent to at least two years in a public high school, and has also studied at least three years in a registered optometrist's office, or has graduated from a school of optometry, maintaining a standard satisfactory to the board of examiners in optometry, shall stand an examination before said board of examiners

in optometry, which examination shall include anatomy, physiology, pathology of the eye, and the use of the ophthalmoscope, to determine his qualifications therefor. Every candidate successfully passing examination shall be registered by said board of examiners in optometry as possessing the qualifications required by this act, and shall receive from said board of examiners in optometry a certificate to that effect; provided, however, that any person who shall submit to the said board of examiners in optometry satisfactory proof that he is of good moral character, that he is and has been engaged in the practice of optometry in a permanent location of business in this state for more than one year next prior to the passage of this act, shall receive from the said board of examiners in optometry a certificate of exemption from such examination, which certificate shall be numbered and registered with said board and entitle him to practice optometry under this act.

7. That the fee shall be: For examination and certificate, ten dollars, to be paid to the secretary of the board by the applicant upon filing his application. If the applicant fails in no more than one subject, he may have one more examination at the next meeting of the board without any additional fee.

8. That every registered optometrist, whether by examination or exemption, shall pay to the secretary of the board each year on or before the first day of September, beginning 1917, three dollars as a yearly fee for renewal of certificate. The moneys so collected from fees shall constitute a fund for the expense made necessary by this act.

9. That the funds realized from the aforesaid fees and licenses shall be applied to the payment of all necessary expenses of the board of examiners in optometry, including a per diem of not more than five dollars to each member and necessary expense in traveling to and from place of meeting, when said board is in session, and the employment of attorney to assist in prosecuting violators of this act.

10. That every person entitled to a certificate of exemption as hereinbefore provided, must make application therefor, and present the evidence to entitle him thereto, on or before the first day of January, 1917, or he shall be deemed to have waived his right to such certificate. Before any certificate is issued it shall be numbered and recorded in a book kept by the said board of examiners in optometry, and its number shall be noted upon the certificate.

11. That all recipients of said certificates of registration shall present same for record to the clerk of the circuit court of the county, or to the corporation court of the city in which they reside, and shall pay a fee of fifty cents for recording same. Said clerk shall record said certificate in a book to be provided by him for that purpose. Any person so licensed, before engaging in the practice of optometry in any other county or city, shall before commoning the practice in said county or city, file the same for record with the clerk of the circuit court of the county, or corporation court of the city in which he desires to practice, and pay the clerk thereof for recording same a fee of fifty cents. Any failure, neglect or refusal on the part of any such person holding such certificate to file same for record as hereinbefore provided, for thirty days after the issuance thereof, shall forfeit the same, and said certificate shall become null and void.

12. That any person practicing optometry shall display his certificate of registration or exemption in a conspicuous place in the principal office wherein he practices. Whenever practicing outside of or away from his office, he shall deliver to each person whom he fits with glasses a bill of purchase, which shall contain the signature, home address, and number of his certificate of registration or exemption, together with a specification of the lenses and the price charged therefor.

13. That the said board shall revoke a certificate of registration or exemption if the holder thereof is in default in the payment of his yearly license for more than thirty days after being notified of such default; is guilty of fraud or deceit in his practice; has been convicted of crime; is an habitual drunkard, or is incompetent to practice optometry; provided, that no certificate shall be revoked until the holder is given a hearing before the said board after ten days' written notice of the time and place of such hearing served by the secretary of the board by registered mail at the last known address of such person. A person who shall practice optometry after the revocation of his certificate shall be deemed to have practiced without a certificate. A person whose certificate has been revoked may, after the expiration of one year from the date of such revocation, apply for a new certificate, in the manner provided for original applications, and the board may in its discretion exempt the applicant from examination and grant him a certificate.

14. That no person not a holder of a certificate duly issued to him and filed as provided shall, after January first, nineteen hundred and seventeen, practice optometry in this state. No person shall falsely personate a registered optometrist of a like or different name, nor buy, or sell, or fraudulently obtain a certificate issued to another.

Practicing or offering to practice optometry, or the public representation of being qualified to practice the same by any person not authorized to practice optometry, shall be sufficient evidence of a violation of this act; provided, however, employers of practitioners of optometry in connection with their optical business, may, in case of a vacancy in such position, fill the same by the employment of some person deemed competent. And the said person shall at once announce to the board his readiness for examination, and may continue in his work until examined by the board, and his fitness so determined.

15. That any violation of the provisions of this act shall be a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars, or more than one hundred dollars, or by imprisonment of not less than thirty days, or more than six months, or by both fine and imprisonment. It shall be the duty of the respective commonwealth's attorney to prosecute all violations of this act.

16. That nothing in this act shall be construed to apply to duly licensed physicians, authorized to practice medicine under the laws of the state of Virginia, nor to persons who sell spectacles, eyeglasses, or lenses, either on prescriptions from physicians or duly qualified optometrists, or as merchandise from a permanently located and established place of business.

GEORGIA OPTOMETRY LAW.

1916.

Optometry Defined.

Section 1. Be it enacted by the general assembly of the state of Georgia, and it is hereby enacted by the authority of the same, that from and after the passage of this act, optometry or the practice thereof is defined to be the employment of any means, other than the use of drugs, for the measurement of the powers of vision and the adaptation of lenses for the aid of same.

Board of Examiners in Optometry—How Appointed.

Sec. 2. Be it further enacted, that within thirty days after the passage of this act, it shall be the duty of the governor to appoint for this state a board of examiners in optometry to consist of five members. The said board shall be styled the Georgia State Board of Examiners in Optometry, and its members shall be persons who have been actively engaged in the practice of optometry in the state of Georgia for five years immediately preceding such appointment; provided that no person is eligible to appointment on this board who is connected in any way with a school teaching optometry, or who sells optical goods at wholesale. Be it further provided that after the appointment of the first board only optometrists registered under the provisions of this act shall be eligible for appointment.

Oath of Examiners.

The said board shall file with the governor annually a complete list of the registered optometrists in this state. Within thirty days after the governor shall have notified the several members of their appointment, each member shall subscribe and forward to the governor the following oath: "I do swear that I will faithfully and impartially perform the duties of a member of the board of examiners in optometry for the state of Georgia to the best of my ability, so help me God." Upon such oath being filed in the office of the governor of this state, he shall issue to said examiner a certificate of appointment.

Terms of Office of Examiners.

Sec. 3. Be it further enacted, that the term of office of each member of said board of examiners in optometry shall be three years, provided that two members shall be appointed for one year, two for two years, and one for three years, and after the expiration of the terms of office of the members so first appointed, subsequent appointments shall be for a term of three years, and any vacancy that may occur from any cause shall be filled by the governor for the unexpired term.

Organization of Board and Meetings.

Sec. 4. Be it further enacted, that said board at the first meeting after the appointment of its members and annually thereafter, shall elect a president, vice-president and secretary-treasurer, who shall hold their offices until their successors are elected and qualified. The secretary-treasurer shall give a bond with security in such sum as said board may determine. Said board shall prescribe such rules, regulations and by-laws for its proceedings and government as will carry into effect the provisions of this act.

Register to be Kept by Board.

There shall be at least two regular meetings of the board of ex-

aminers held every year on the first Wednesday in January and July. Special meetings may be held on the call of the president and two other members. A majority of said board shall constitute a quorum. The board shall keep a record of its proceedings and a register of all applicants for license, giving the name, age and residence of applicant and the county in which he proposes to practice; and also show the date of examination, whether the applicant was rejected or granted a license, and the manner of the license granted.

Fees and Expenses of Board.

Sec. 5. Be it further enacted, that all fees provided for in this act shall be paid in advance to the treasurer of the board, to be held as a fund for the use of said board. No funds shall be paid out except on a warrant signed by the president and secretary of the board and no expense shall be created in excess of the fees as herein provided. Such funds shall be applied by the board to the payment of its expenses and to making a reasonable compensation to the members thereof.

License to Practice—How Obtained.

Sec. 6. Be it further enacted, that from and after the passage of this act, all persons engaged in the practice of optometry or who wish to begin practice of same in this state shall make application to the board to be registered and for a certificate of registration. Such registration and certificates shall be granted to such applicants, but only upon compliance of the following conditions contained in subdivisions 1, 2 and 3 of this section.

Persons Exempt From Regular Examination.

(1) The applicant shall be registered and given a certificate of registration on passing a satisfactory examination limited to a demonstration of practical work, if he shall present satisfactory proof on or before March 1, 1917, of being twenty-one years of age, of good moral character and of having been continuously engaged in the practice of optometry in this state for at least two years prior to the passage of this act. The fee for registering such applicants shall be ten dollars.

(2) The applicant shall be registered and given a certificate of registration if he holds a valid license from such other state boards or optometry as may be, under the rules of comity, recognized by the Georgia State Board of Examiners in Optometry. The fee for registering such applicant shall be ten dollars.

Examination of Applicant for License to Practice.

(3) From and after March 1, 1917, any applicant for registration under this act shall be required to pass an examination as hereinafter provided. Such applicant shall be twenty-one years of age, of good moral character, and shall be possessed of an education equal to a two year's high school course. He shall have been employed as an assistant in the office of an optometrist, registered under this act, for a period of not less than two years, or shall hold a diploma from a school of optometry approved by this board, provided that after July 1, 1917, all applicants for examination shall hold a diploma from a school of optometry requiring a two years' attendance course and satisfactory to this board. The said board shall examine all applicants shown to have

the necessary qualifications, as above set forth, in the following subjects: Ocular anatomy and physiology; theoretic optics; theotric and practical optometry, including normal and abnormal refractive, accommodative and muscular conditions of the eye as applied by recognized methods of subjective and objective optometry when determining the need of glasses.

License Must be Recorded in County in Which Practice is Conducted.

When the applicant shall attain an average standing of 75 per cent. on all subjects submitted he shall be deemed to have passed satisfactorily and be given a certificate of registration, which certificate, and any other certificate provided for in this section shall operate as a license to practice optometry in this state when it shall have been recorded in the office of the clerk of the superior court of each county in which said person practices. The clerk of said court shall be entitled to a fee of one dollar for recording such certificate. The fees for applicants of this class shall be fifteen dollars for examination and ten dollars for registration. Failure to pass a satisfactory examination shall not debar the applicant from participating in subsequent examinations before said board, upon his complying with the provisions of this act.

Right of Appeal.

Sec. 7. The state board of examiners in optometry shall refuse to issue the certificate of registration provided for in this act to any person who shall have been guilty of grossly unprofessional and dishonest conduct, and said board after due notice and hearing may revoke the certificate issued to any optometrist whose certificate of registration was obtained or issued through error, fraud or perjury, or who shall be guilty of an offense involving moral turpitude; provided an appeal may be taken from the action of the board to the superior court of the county in which the certificate was refused or revoked by the board, upon applicant giving a good and satisfactory bond to be approved by the court, to secure the costs of such an appeal should the appeal be determined against him.

Practicing Without a License and Fraudulently Practicing Prohibited.

Sec. 8. Be it further enacted, that after March 1, 1917, it shall be unlawful for any person to practice optometry in the state of Georgia unless he shall have first obtained a license from the state board of examiners as herein provided and filed same with the clerk of the superior court of the county in which such practice is conducted, and that any person who shall practice or pretend to practice optometry as defined in this act, without having first obtained license as herein provided, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as for a misdemeanor.

Dealers Who Sell Glasses as Merchandise Require no License.

Sec. 9. Be it further enacted, that nothing in this act shall be construed to apply to physicians and surgeons duly licensed to practice medicine under the laws of this state, nor to prevent persons from selling spectacles or eyeglasses on prescription from any duly qualified optometrist or physician, nor to prevent any person or persons selling glasses as an article of merchandise, or from using test cards in connection with the sale of such glasses at a permanently located place in

this state when not trafficking or attempting to traffic upon assumed skill in optometry. Neither shall anything in this act be construed to authorize any registered optometrist to prescribe or administer drugs or practice medicine or surgery in any manner as defined by the laws of Georgia; nor shall the same be construed to authorize any such person to use the title of M. D. or any other title mentioned in section 15 of the act regulating the practice of medicine, approved on the 18th day of August, 1913.

Sec. 10. Be it further enacted, that all laws and parts of laws in conflict with this act be, and the same are, hereby repealed.

Approved by governor August 7th, 1916.

RESUMÉ.

As has been seen, there is a great similarity between the laws of the different states—still the laws are not the same, and in a series of communications like the present, where the intention is to produce the actual legislative Acts as a work of reference, it is necessary to print them word for word, so that there may be no mistake in the intention and meaning of the published law. In a general way, however, it may be said that the intention of the legislative Acts has been similar, in the various states, and evidently means to convey about the following provisions.

It shall be unlawful to practice optometry without a properly obtained certificate or license. A person is assumed to be practicing optometry who has in his possession at his place of business, any of the mechanical means for fitting glasses, or who has a sign, notice or an advertisement implying that he claims to refract or fit eyes with glasses. In other words, a person may sell glasses as merchandise, but cannot fit them to the eyes, except to adjust the frames. In Maine the law distinctly states, however, that the practice of optometry is not meant to apply to itinerant peddlers or sellers of glasses. In Colorado, the usual license to practice optometry does not allow itinerancy. An itinerant license, however, can be obtained, by paying an additional fee. This allows traveling from house to house, soliciting trade individually or by advertising, etc. This lax clause in the law, would seem to almost nullify any good results that might possibly ensue from the passage of the Act. The same condition exists in Tennessee, only the special license costs twenty-five dollars. In Tennessee it is also unlawful for firms or individuals to give away glasses as premiums.

The practice of optometry consists in fitting glasses to eyes, by purely mechanical means, unassisted by drugs, medicines or surgery. The optometrist must not give out the impression of being in any sense a practitioner of medicine. He must not call himself a doctor of medicine, or even a doctor of optometry, or a doctor

of any kind, or an eye specialist, or anything of this nature whatsoever, calculated to deceive or mislead the public. He must adhere strictly to his own business, and not attempt in any way to encroach upon the territory of a doctor or of an ophthalmological specialist, except in so far as the fitting of glasses by purely mechanical means is concerned.

In Maryland, optometrists are not allowed to sell concave glasses to children under 15 years of age. Neither can they sell glasses to people who have diseased eyes, except it be with the knowledge and consent of a doctor. This restriction places a peculiar restriction on licensed optometrists, for it must always open up the question, as to the existence or non-existence of ocular disease, a question which must always be a stumbling block in the way of Maryland optometrists.

In order to regulate the practice of optometry, to see that only those properly qualified are allowed to practice, and to prosecute and punish those who transgress the law, boards of optometry have been organized in the various states. These boards are usually appointed by the governors, and they consist of from three to seven members as the states have decided. Sometimes the governors pick the men themselves, at other times a number of names are suggested to the governors by (probably) the state society of optometrists, and from these names, the requisite numbers are selected.

In South Dakota the registered optometrists constitute a legal society. They meet once a year, transact business, and recommend board members to the governor, who selects the members from this submitted list. The secretary of the board is also the secretary of the society, and receives a salary fixed by the society, and his expenses. In Pennsylvania the board consists of seven members, of which one shall be the superintendent of public instruction. The remaining six, are appointed by the governor. The superintendent, receives a salary of \$250.00 a year. In Illinois, the secretary of the board receives a salary of \$1500.00 a year, from the state treasury and is not a member of the board. In some states the board members are all experienced optometrists who have resided in a state a certain number of years, and in other states doctors of medicine, and ophthalmologists of repute, experience and requisite length of residence, are also placed upon the board. The members are appointed for from three to five years, and their appointments are so arranged that they do not all terminate at the same time. The first appointees are given certificates allowing them to practice their profession, without examination, but

as a rule, subsequent appointees must have submitted to examination, and obtained certificates before they are eligible to membership on the board. The members as a rule are required to swear that they will faithfully perform their duties, and they are allowed to administer oaths, take testimony, examine witnesses, etc., in matters concerning optometry in their several states. They must adopt a seal, and elect officers, which usually consist of a president and a secretary-treasurer, although some states elect a vice-president and a separate treasurer. The boards usually meet twice a year, in regular session, at specified places, but other meetings may occur if the board desires. At these meetings applicants are examined, reports read, complaints heard and acted upon, and other business transacted. The members are almost always paid for their services out of collected fees. They are usually paid about five dollars a day, and their expenses, or from three to five cents mileage. The secretary-treasurer usually has to file a bond, and some of the states pay him a small salary, as he has a good deal of work to do. Fees and fines are paid to him, and the state treasurer usually ultimately receives the money. These fees are used to pay board expenses, such as salaries, lawyers, stationery, stamps, etc. The money is all used as an optometrical fund in some states, and in others, any excess above a certain variable amount is given to some fund such as the public school fund, the general fund, etc. In most states, the expended money must never exceed the board receipts. In Florida, if the receipts for fees and fines are not sufficient to pay the board expenses the registered optometrists of the state may be assessed to the extent of \$15.00 each, if necessary. If they fail to pay this assessment, their license is revoked. The optometrist may, however, be reinstated by paying the assessment, and renewal fees, and a fine of twenty-five dollars. The board usually reports once a year to the governor. As a rule, no one connected with an optometrical school, or a wholesale optical establishment is eligible for membership on the board. One of the most important functions of the board is the issuing of licenses to practice. These licenses are usually two in character. First, those granted to applicants who have already been in practice a certain number of years, and second, those granted to applicants who desire to begin the practice of optometry. Those in practice a certain number of years before the passage of the optometry law have privileges accorded them not accorded those who seek to enter the profession. In most of the states a man who has been in practice a certain specified number of years, must make

application to the board for a license to practice within a limited length of time, or his privileges will be surrendered, and he can only secure a certificate through the usual means of examination. He does not have to be examined, if he applies for a license, within the time specified in the law. In some states, however, even if the time lapses, he can secure an extension by making application and paying a fine. If he fulfills the legal requirements he can obtain a license by the payment of a fee, which is usually either \$5.00 or \$10.00. Some states require the applicant (already in practice) to be of good moral and business character and professional reputation, and to be vouched for by reputable fellow citizens. Certificates thus obtained are usually called "Certificates of exemption." In Massachusetts, those in practice for two years when the law was passed, who are of good character and reputation, may continue practicing for two years longer, but must then pass the regular examination in order to continue in practice. In Colorado, they must pass what is called a "practical examination," whatever that may mean. In Nevada, the old practitioners must also be examined, in the same way as the new applicants. In Pennsylvania, those in practice must take what is called a "simple examination," before a certificate can be obtained. If they fail, they can take a second and third examination, without extra fee, till January 1, 1917, at which time they will be compelled to undergo a regular examination. In Arkansas, any proper person practicing optometry one year before the passage of the law, may continue practicing for two more years, but must then go up for examination before the board—and pay \$10.00 for a certificate. In Georgia, those in practice must submit to a "practical examination." In Wisconsin, they must also pass a "practical examination." In some states, the question of what is to be done with those optometrists already practicing before the passage of the law, is not mentioned, and the board of examiners may evidently make whatever disposition of the matter seems to them to be best.

Concerning those applicants who have not actually practiced optometry, but who desire to do so, the laws of the different states are similar if not alike. In most of the states the applicant must be 21 years of age and of good moral character. He must have a good preliminary education, equal to about two years in high school. He must have studied optometry in a high grade acceptable school of optometry, requiring one or two years study, or else have worked as an assistant in a licensed optometrist's office, for two or three years, or both. In Wisconsin, no preliminary

education is necessary, and of course, the requirements in all the states is not as high as just given. In California, optical instruction is given in the free public schools. The course is for one year. They are the only optical schools recognized in the state. A certificate from such a school requires the board to issue a license. The board may, however, also examine applicants, and grant certificates on the merits of the examination. In most of the states the applicant must pay a certain amount (say \$10.00) down, before the examination by the board, and then another amount (say \$5.00) for the issuance of the certificate permitting the successful applicant to practice optometry. In case the applicant fails to pass the examination, he can usually have one, two or three subsequent examinations at future board meetings without extra charge. Of course, the cash amounts for examinations and certificates, varies in the different states. In some states, the initial sum paid down, is returned if the applicant fails to pass. In some states the board can refuse to grant a certificate, even if the examination is successfully passed, if in the opinion of the board the applicant is an undesirable individual and especially if it is shown that the certificate was fraudulently obtained, or if the applicant uses liquor or narcotics excessively or is guilty of any kind of unprofessional conduct. In some states the examinations are left to the discretion of the board, and in others, the directions are rather specific in their nature, and the percentages necessary to pass is distinctly stated. In some states the applicant must present a photograph of himself which may be kept by the board, and may be attached to his certificate. In most states the certificate must be filed with the county clerk (upon the payment of a small fee) where the optometrist proposes to practice within a certain length of time, or the certificate will be forfeited. It may be re-issued for a small fee. In case the optometrist wishes to practice in other counties in his state, he is usually required to file his certificate in each county, and pay the requisite filing fee. The optometrist must pay an annual state license fee of about \$2.00 for the privilege of practicing. In case these fees are not all paid, the license will be revoked. A new license will only be re-issued, upon payment of all back fees, and usually a fine. In case he loses his certificate, the board is entitled to an extra fee for a re-issuance.

Licenses may be revoked at any time for a disobedience of any phase of the optometry law. They may also be revoked for fraud in obtaining a certificate, for dishonesty or misrepresentations in practice, for crime, gross incompetency, recent habitual drunken-

ness, or the excessive use of narcotic drugs, or for any kind of unprofessional conduct. They may also be revoked for not displaying the certificate in the practitioners office, or place of business or for being afflicted with any contagious or infectious disease. Before the license is revoked, however, the optometrist must be given due notice of the projected action, and be given every opportunity to defend himself. In case the license is revoked, the board can usually re-issue it after a certain period of time provided they believe that the objections to the ejected optometrist have been removed. A charge is made for such a re-issuance. In most states optometrists are allowed to practice in various counties in their state, by filing their certificate and paying for the service. They must, however, give each customer a bill of sale for any goods purchased, stating the formula for the glasses, and the amount paid. Upon this bill must also appear the full name of the optometrist, his home postoffice address, and the number of his certificate.

Emphasis should be laid upon the fact that licenses may be revoked for misrepresentations or unprofessional conduct. These are rather indefinite statements, but among other things they mean that an optometrist must not represent himself to be a "doctor" of any kind, or that he in any way treats or cares for diseased conditions. He must not use drugs or surgery. He must not seek to represent himself as being anything but a scientific fitter of lenses to the human eye. In some states he is forbidden to advertise or employ agents of any kind to work up business, and must content himself with being a simple "optometrist," and to call himself nothing but an "optometrist," either on his sign, or in any other manner. The fines for the non-observance of the optometry law, varies in the different states, but offenders are usually fined for from about \$20.00 to \$200.00. In some states, if the offender does not pay the fine, he is compelled to go to jail and stay there until his fine is expiated. He stays in jail one day for every two dollars of his fine. There is usually a jail sentence also, running for from perhaps one month to three months. As a rule either punishment or both may be enforced. In some states, subsequent offenses are more severely punished, and in some licenses are temporarily or permanently revoked, if fines are enforced. The fines usually go to the benefit of some fund; generally to either the school fund or the optometrist fund. In almost all the states the optometry law does not apply to legal practitioners of medicine and surgery, nor to merchants who merely *sell*, but do not attempt to *fit* glasses. In Arkansas, the law is not applicable to veterans of the Civil War.

Just what superhuman skill veterans of the Civil War are supposed to possess in the state of Arkansas, is not quite clear; neither can it be distinctly understood why these venerable veterans should be allowed to be at large, armed with the privilege of ruining human eye sight. Why not include arson or murder amongst those normally illegal acts usually punishable by the state, which Arkansas regards as permissible, if, peradventure, a man has served in the Civil War? It may naturally be concluded that southern chivalry rather got the best of the Arkansas legislators, when they finished up the optometry law. In some states the law endeavors to produce reciprocity between the various states, which is of course, a most commendable effort, if the optometry laws are commendable at all. In such states an optometrist from another state, is usually allowed to practice, provided the optometrical requirements are the same, or essentially similar, and provided the other state also allows reciprocity. The applicant must possess a good moral and business reputation, and pay a specified fee.

A word of explanation should be given concerning the state of Ohio. It might almost be said that they have, and also that they have not an optometry law in Ohio. The fact is the matter is yet to be settled by the courts. A clipping is here appended, from the February, 1916, issued of the "Ohio State Medical Journal," which explains how it happens that it is uncertain whether Ohio has an optometry law or not.

"The status of optometrists in Ohio is still undetermined. The Common Pleas Court of Franklin County announced late in January that the pending case would be heard in chambers. It is possible that this decision will determine the future of the state's policy in regulating these practitioners.

"The case pending in the courts is a consideration of an injunction secured by the state association of optometrists to restrain the State Medical Board from applying the provisions of the Platt-Ellis law to optometrists. If the court holds that optometry may be licensed in one of the groups of 'limited practitioners' under the law, the State Medical Board will immediately proceed to license the large number which have applied to date. If the court holds that optometry is not included in the provisions of the Platt-Ellis law, it will mean a transfer of the fight to the legislature. Optometrists have already announced that if they are successful in their legal battle, they will have a bill introduced again providing for a separate board to license and regulate their practitioners.

"At the present time, the case is largely dependent upon the

Medical Board, the attorney general is acting as counsel in resist-attorney general's office. As the legal representative of the State ing the attempt of the optometrists to escape registration by the medical board. Mr. Turner has given the matter careful consideration, and has assigned the defense to Judge Dickey, of Gal- lipolis, one of his able assistants. Realizing that an important prin- ciple affecting the public health is at stake, Judge Dickey has given the matter very careful consideration and it is firmly believed that the court will rule in favor of the medical board."

Meanwhile the trustees of the Ohio State University have estab- lished a school of optometry maintaining a two years' course in optometry.

Summarizing the legal status of the different states it is found that the following states have optometry laws:

Arizona	Nevada
Arkansas	New Hampshire
California	New Jersey
Colorado	New Mexico
Connecticut	North Carolina
Delaware	New York
Florida	North Dakota
Georgia	Oklahoma
Idaho	Oregon
Illinois	Pennsylvania
Indiana	Rhode Island
Iowa	South Dakota
Kansas	Tennessee
Maine	Utah
Maryland	Vermont
Massachusetts	Virginia
Michigan	Washington
Minnesota	West Virginia
Montana	Wisconsin
Nebraska	

The following states have no optometry laws:

Alabama	Missouri
District of Columbia	Ohio
Kentucky	South Carolina
Louisiana	Texas
Mississippi	Wyoming

A careful review of the laws on optometry in the different states, leads one to the conclusion that they have on the whole been care-

fully and conscientiously worded, and display an intention of forcing optometrists to adhere strictly to their own business, and not endeavor in any way to trespass upon the profession of medical and surgical ophthalmology, except, so far as refraction work, should be regarded as such an invasion. Of course, we ophthalmologists feel that refraction work is practicing medicine, and that it should be so regarded by the law makers of our various states. But the fact remains that 39 states have adapted optometry laws, and that only 10 states remain for optometry legislation. These states will be sure, before long, to adopt laws, and there seems little left for ophthalmologists to do, but to become reconciled to new conditions, and to make the best of them. Let us at least see that the laws are observed.

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STATE LEGISLATION CONCERNING THE BLIND.

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The question as to who may properly be called blind is not yet settled. Various views are held as to how blind a person must be to be designated as "blind" to receive public assistance. For the purpose of this communication those people will be considered blind, whose vision is completely lost, or is so slight as to be of no material assistance to them in earning a livelihood. The subject of "State Legislation Concerning the Blind," brings into view the old but ever-present question as to the economical preference between "prevention and cure." In this particular instance it invites an answer as to whether it is cheaper to prevent blindness, or to care for people after they become blind? I trust I may be pardoned for putting the question thus plainly and brutally, for after all the financial side of things appeals to more people than the humanitarian side. I am not unaware of the fact that this statement may frequently be reversed, and that "doing good unto others" is the watch-word of thousands of men and women, and that practicably all charitable movements, are based upon the tenets of the "Golden Rule." But "practical" people, and especially "practical politicians" look at most public matters from a practical, or in other words, from a financial point of view, and our legislators must be able to show their constituents that, while they have spent money for certain apparently benevolent purposes, it was after all, the cheapest and best thing to do under the circumstances. By thus concealing, what might otherwise be regarded as an act of pure generosity and humanity, and loudly extolling its financial soundness, the legislators may be able to continue in office, and to be regarded as the wise distributors of the riches of the commonwealth notwithstanding the fact that large sums of money are contributed by the various states for the support of the blind. The condition of the blind would be hard indeed, if their welfare was not so well guarded by charitable benefactions from private sources, lodges, etc. The blind *should* be cared for by the state, because the state is largely to blame for blindness, but the state seems quite willing that the public should largely bear its financial burdens. Of course, only state legislation concerning the blind, will be particularly referred to in this communication. I am sure that no thoughtful and observing individual will contest the statement that prevention is cheaper than cure—or to bring it down flatly to the subject of this

series of papers, it is cheaper to preserve good eyes, than to be burdened with poor or blind eyes. This is true with individuals, and it is also true with communities. Take the subject of Ophthalmia Neonatorum, for instance, which disease is principally instrumental in peopling our blind asylums. How much cheaper it would be to pass an adequate law for the control of this disease, and to see that the law was observed in any given state, than it is to support people in blind asylums, and then to help them support themselves, or to pension them, for the remainder of a long and weary life. The proper education and licensing of midwives, the prompt registration of births, the free distribution of a prophylactic (1 per cent. nitrate of silver solution preferred), the compulsory use of the prophylactic, the prompt reporting of red eyes in babies, the immediate employment of an eye surgeon, the proper care of the child (preferably in a hospital), etc., would all cost but little in an entire state, especially as the use of a proper prophylactic at each birth, would prevent almost all cases of Ophthalmia Neonatorum. Contrast this with the case of maintaining a blind child in an asylum, and then pensioning this person, or partly supporting him, all through the remainder of his life. Surely no one will pretend to say that prevention is not cheaper than cure, under these circumstances, for it must not be forgotten that unless these unfortunate people are financially independent (and they very seldom are), they have to be helped all through life, either by a definite pension, or maintenance in a poor house, or helped to learn a trade or profession and then helped to dispose of their goods, or services afterwards, etc.

The establishment of industrial homes, and workshops for the blind, and the opening of stores where their produce may be marketed, is one of the greatest up-lifts for the blind, that has ever been devised. These goods must be made as well as if made by seeing workmen, and the blind must realize that their produce must sell on its merits, and not through sympathy. The scheme produces an income, self-respect and happiness. If Ophthalmia Neonatorum could be practically eliminated from this country, by wise legislation rigidly enforced, millions of dollars would be saved, that could be devoted to really necessary causes, and the stock of human happiness and usefulness, would be immeasurably increased. The same argument can be advanced concerning the annual and systematic examination of school children's eyes and ears, the treatment and elimination of trachoma, the regulation of shop conditions, such as illumination, the use of goggles, the

control of machinery and the elimination of the "Shop Oculist," the education and licensing of midwives and the control of midwifery, the control of optometry, etc. If all these reforms could be brought about, and this great mass of ocular diseases, defects, etc., reduced to a minimum, and the expense of maintaining asylums, hospitals, doctors, workshops, pensions, etc., contracted to the smaller amount commensurate with such new conditions, millions of dollars could be saved annually, and life and self-respect infinitely enlarged to thousands of people. Neither must it be forgotten that education is the greatest foe to crime, and that anything lessening the possibility of the acquirement of an education, contributes to the volume of crime. Therefore children whose eyes, ears, etc., render the absorption of teaching difficult, usually dislike and shirk school work, are apt to become truants, to seek bad associations, become familiar with small and great crimes, and may easily and ultimately become confirmed criminals, jail-birds, etc., and entail much expense upon the community through the maintenance of added police service, courts, reformatories, jails, etc. In other words, if the systematic and annual examination of school children's eyes and ears, was universal and thorough, and properly followed up, thousands of children would enjoy their school, would easily acquire an education, would become useful citizens, and millions of dollars would be deflected from the pursuit and punishment of criminals, into happier and better channels. I think no one will deny these statements, they are so plain as to be self evident; and no one will deny that it is the duty of the people, the law-makers and the authorities, to see that proper laws are passed concerning these matters, and then to see that the laws are rigidly enforced. It is their moral, sociological and financial duty to the country. Then why is it so difficult to secure action, in creating such reformatations? The answer is complex. Probably the greatest reason is public inertia. Legislators and civic authorities, will usually do what the public really demands. Some of them actually desire to follow manifest public conceptions, others, dare not do otherwise. They wait for the clearly expressed voice of the people. But the people have other things to think about. It is not that they would not decide such matters properly, if forced to meet them at close range, face to face. But this does not often happen, and so they just let such matters drift, feeling that somehow, sometime, somebody will perform this vicarious service. It is the same reason, that keeps many good people away from the polls, when they should get out and

vote. They have conceptions and opinions perhaps, about candidates and principles, but they are busy, or not feeling well, or the day is unpleasant, and they think that one vote more or less will not make any difference, and so they do not vote, but this does not prevent them from indulging in loud denunciations after the election is over.

Another difficulty encountered in making reforms can be found in the legislators themselves. Far be it from me to impugn the purity of motives residing in the breast of the average legislator. I simply state that it seems difficult to secure moral or uplifting legislation in most of our states. This may be because the public does not manifest a sincere and continuous desire for certain uplifting legislation, by exerting an influence at the capitol city, or by securing newspaper cooperation. Of course, unless the subject of the desired legislation is fully explained and enlarged upon to the average legislator, and unless he can be made to see that prevention is better and cheaper than cure, he cannot be entirely blamed for feeling that he would perhaps be spending the public's money for somebody's "fads or fancies," and that he will not do so, at least to the extent desired by most enthusiasts. Legislators seem to think they are performing a very noble and magnanimous act when they make appropriations for blind asylums, workshops for the blind, readers for the blind, pensions for the blind, libraries for the blind, etc. I do not wish to belittle these state benefactions, but I unhesitatingly declare, that the friends of the blind, are only asking for what they have a right to expect, and they never get what they desire. Conservatively estimated 50,000 of the 100,000 blind people in this country are blind unnecessarily. They are blind because the state has failed to protect them at birth, in schools, in shops, in trachomatous regions, etc. I accuse the state of these crimes. If the state had done its duty, and taken care of its unprotected wards or citizens, there would have been comparatively little blindness, and most of these provisions for the blind would have been unnecessary. Therefore, inasmuch as the state is at fault, in not doing what it can to prevent blindness, let the state provide for the blind, and let not the state feel overly inflated over its meager and belated provisions. It is cheaper and better and more humane and just, for the state to pass laws *preventing* blindness, and then to see that these laws are carried out, than it is to pay for the support of the blind, after the crime has been committed. This statement is emphasized, when it is remembered that it costs ten times as much money to educate a

blind child, as it does to educate a seeing child. For instance, an average school book for a seeing child costs about \$1.50, while for a blind child practically the same book costs about \$22.00. It may be here stated that it costs from \$15,000,000 to \$20,000,000 per annum to support the dependent blind people of this country. Still another obstacle toward reformation along these lines is the crime on the part of the authorities, in disregarding preventive laws, and in not punishing the offenders. For instance, there exists in a certain state, a Society for the Prevention of Blindness. Amid much rejoicing a law was passed by the legislature, for the control of Ophthalmia Neonatorum. Shortly after a child was blinded because the doctor did not observe the law. The case was turned over to the society to prosecute. It was a clear case, and the evidence was complete. Some prominent members of the society, however, strongly advised against the prosecution of this acknowledged offender because—forsooth, it might arouse the antagonism of the medical profession. It was only with much urging that they were finally induced to have the courage of their convictions, and prosecute. The doctor was fined, and this first case in this state, has done much good in the community; more good in fact, than many lectures and reams of literature. This is but an illustration of how difficult it is to see that laws are enforced, even after good laws have been passed. There are enough good laws on the statute books of this country, to control almost all evils, if they were only observed, but such laws are often forgotten or unobserved, or thought to be unwise or impolitic to enforce, and they fall into disuse, and might just as well never have been passed.

These are some of the reasons (perhaps the most important ones), why it is difficult to secure action in creating reforms, and it is safe to say, that until these conditions are markedly improved, the way of the reformer will be hard indeed. Of course, little by little better conditions prevail, and better government is secured, but it does seem strange, that laws for good vision (when blindness can be so easily minimized), and which can be so thoroughly proven to be distinctly economical, and which can be unquestionably demonstrated to immeasurably increase the happiness and well-being of the human race, it does seem strange I say why such laws are not promptly and easily enacted and afterward enforced.

I have taken the liberty at this point to quote in its entirety the excellent pamphlet by F. Park Lewis on "What To Do For Blind

Children," appearing as Pamphlet No. XIX in the "Conservation of Vision Series," of the American Medical Association. I make no apologies for doing so, as this pamphlet is perhaps the best short exposition of this subject in English print. Mr. Lewis says, as follows:

When the great sorrow of having a blind child comes into the home, it rarely happens that those who are nearest and dearest to the little afflicted one have had any experience with blindness or with the blind, or have any knowledge as to what to do for the development of the child, or when, where or how his education should be begun. The family is in many cases so overcome with a feeling of sympathy that their tenderness is shown in excessive and prodigal care. The child is assumed to be helpless and every slightest want is anticipated. Through the period of babyhood and young childhood, and even much later, those personal things that even a blind child might do for himself are done for him, and he is apt to grow up, not only helpless and weak, from the lack of the use of his functions, but selfish, arrogant and dominant, as any child will who fails to learn the lesson of submission to authority and to acquire the power of self control. This neglect of early training is of lasting injury, and the resulting damage is in every case difficult to repair.

Some times, on the other hand, in the more sordid homes where poverty and ignorance are associated with vice, or in which blindness in the child is combined with physical and mental defects, the poor little creature becomes the victim of unimagined neglect. Such children have been found hidden away in back rooms and in dark closets, concealed from the knowledge of the public and treated like animals.

It becomes, therefore, a matter of importance that all cases of blindness shall be known. There should be some public body, such as a State Commission for the Blind, a form of organization which has already been established in Massachusetts, Ohio and New York, having authority to seek out and to find all such afflicted children, so that they may be placed under proper control when necessary, and that the parents and friends in other cases may be advised as to the care which should be given to such children and where it may best be found.

It is never possible to consider blindness as anything other than a great calamity, and it is peculiarly dreadful when it occurs in a young child, but it is by no means an imperative bar to a happy and successful life. It is a matter of common observance that blind people are as a rule happier than are those who are deaf. The reason for this is, doubtless, that the blind, because of their apparent helplessness, immediately excite a feeling of sympathy and a desire on the part of those about them to be of assistance to them. They are, therefore, more gently cared for and more kindly treated and they receive greater consideration than is accorded to the deaf, whose affliction, not being so evident, is not recognized, while their failure to promptly respond is assumed to be due to carelessness or inattention. It makes those having to do with them impatient in consequence.

EARLY TRAINING NECESSARY.

If the blind receive suitable training at a sufficiently early age to develop in them that strength of body, of intellect and of character that is the prerequisite of any successful life, their possibilities, strange as it may seem, are not greatly lessened by their loss of sight. This has been demonstrated in the lives of a multitude of successful blind men and women. England's ablest postmaster general, Mr. Faucett, was blind. He rode horseback, skated and did many things that are supposed to require eyesight. The most wonderful and exact observations on the life history of the bee were made by a blind man who directed the eyes of his servant. Musicians have written and played, and Mount Blanc has been scaled by blind men. It is the mind and the spirit which control, and when these are great they dominate and rise superior to mere physical deficiencies. The inspiration of great ideals must be held out to the blind, even more than to the seeing from the very beginning.

It is not enough that the blind man or woman shall have physical strength but his training must be so well balanced as to give him poise as well as vigor. It does not suffice that the blind man shall be as well educated as is his fellow who sees. Handicapped by the loss of the most important of his special senses, he must supplement this deficiency by a better training of his mind and his body. It is not enough that he should have the good character of the average man. His word and his reputation must be beyond question. He must be independent and proudly unwilling, except when absolutely necessary, to accept that for which he cannot in some way return an equivalent. He must be taught to reason with clearness and with logical precision, for he must succeed by the aid of his mentality and his character, rather than by his manual exertions. If his are very ordinary gifts, as often happens, and he is obliged to depend on his manual exertions then, even more, are honesty, integrity, cheerfulness and an obliging disposition essentials which he cannot get along without, because friendlessness, due to a surly disposition, or to unworthiness, added to blindness, make a combination that is almost hopeless. These facts are emphasized here because if such qualities are to be secured, the training which produces them should begin in the cradle.

If a baby is born blind (and the largest proportion of blind children are those who come into the world with defective eyes) or if he has the misfortune to lose his eyes shortly after birth through one of those preventable infections which should never happen, but which today is the next largest cause of infant blindness, his training should begin at once. The baby can learn system in his home. He should be bathed and fed and put in his cot in order that he may go to sleep, with absolute regularity unless something extraordinary happens to vary his habits. He should be taught, and he will learn, that he cannot get what he wants by crying for it. A young child will quickly learn that, unless he is suffering from physical discomfort, he must submit to regular control. In these early months, the laws of health should be rigidly observed. His food, if possible, should be that which nature has provided for him, his mother's milk. He should spend as many hours in the open air and bright sunshine as possible, although even

his blinded eyes should be shielded from the glare. He may be spoken to during his waking hours rather more than one would speak to a child with sight, because chiefly through his ears is he brought in contact with the world.

In the first few years is laid the foundation of his whole life. It is the plastic period in which he is most easily moulded by outside influences. It would be well at this period that his parents should learn about the schools for the blind, and secure advice concerning the training of the child during the intervening years before he may be admitted into the kindergarten.

As he begins to creep he should be allowed to do things for himself. He must familiarize himself with the objects around him. It would be easy to so modify the Montessori appliances that under intelligent direction, but without outside help, the child may learn to recognize the difference between hard and soft, rough and smooth, hot and cold, long and short, and also between good and bad and right and wrong. His physical and moral education should come as naturally and as easily as the food which he takes or the air which he breathes.

MONTESSORI AND THE BLIND.

The method of training children by developing their special senses as devised by Prof. Marie Montessori is peculiarly suitable for blind children. The apparatus is exceedingly simple and could be made by any carpenter. Among the forms employed are those designed to develop the sense of touch. On flat blocks are attached substances of varying degrees of smoothness and roughness, from coarse sandpaper to a polished surface. Distinctions of different qualities are determined by means of the finger and degrees of coarseness and fineness are recognized as are the softness of velvets and the hardness of steel. This can be varied according to the inclination of the teacher, by his introducing coldness, warmth, etc. Outlines of form are given the child as playthings and he is taught by his sense of touch to distinguish between the square, the circle and the triangle as well as between the regular and irregular outlines of form. Insets are provided by which blocks of different shapes are fitted into the places to which they belong. This will gradually lead to the more intricate forms of raised maps, raised picture puzzles, etc. The child is taught to distinguish by holding them in his hand the difference in weight so that he may recognize which is the heavier and which the lighter. He learns by special appliances how to lace materials together and very soon he can apply this practical knowledge to the lacing of his own shoes. Strips of cloth with buttons sewed along the edge are given to him and other strips with button holes, and he soon is taught not only the manipulation of slipping the button into the hole but the faculty of fixing his attention is developed in determining where the strip begins so that it is buttoned properly. In this way he is not only acquiring technical skill but he is learning to use his judgment and observation which will prove to be of great value in every other act of his life. The training that comes from the estimation of size, of form and of quality, and the judgment that comes from the application of like forms to each

other initiates a series of mental activities that may be elaborated and carried on indefinitely.

As he learns to walk, make sure that he has an unimpeded way before him. In the second or third year little experiments may be undertaken. The room in which he plays should be as free as possible from unnecessary furniture. Possibly part of a room might be temporarily walled off and given to him absolutely. Here he may have his blocks with which to build, or his moulding sand, thereby teaching him control of his fingers and coordination of his muscles. He must have freedom to run and to play, and to exercise without the fear of harm coming to him. Gradually as he learns to guide himself he may have introduced into his playroom obstacles to overcome. An inverted box may be put on the floor. He will learn from handling it what its shape and limitations are. He will be able to avoid it in his play, or to scramble on it and down from it, thereby increasing the strength and control of his muscles and adding to his self-confidence. Then, as his training progresses, he may be taken out of his limited area into the general living room, which again should have as few unnecessary articles of furniture in it as possible. His training will have progressed so far that he will be able to climb on the chairs or sofa, or to push a stool before him. In the beginning confusion must be avoided by not having more than one object in his way at a time. Concentration of mental or physical effort will come slowly. Gradually but surely his sphere of activities will increase. In the safe space allotted to him he will learn to run fearlessly and to jump, under the watchful eye of his guide, who will not show him how to do things but will prevent him from harming himself. He will learn the danger of going too close to the glowing fire, and will locate the stairway down which he will creep.

He is approaching the most important period of his whole education. He will now learn if rightly taught, obedience and self-control. Each day will open before him a new world of wonders. He will be initiated in the mysteries of buttoning and of unbuttoning his clothes. He will be taught how to sit and how to stand, and efforts will be made to prevent him from acquiring any of those mannerisms of the body or of the features that so seriously militate against the success of the blind. Some of the most common of these are rocking the body, twisting the head about, sticking the fingers into the eyes, distorting the face, swinging the arms, stooping and hanging the head in walking and bending over in sitting. As soon as such practices are observed, a vigorous attempt should be made to break them up, for, if they once become habitual years of schooling may be unable to overcome them.

If the eyeballs are unsightly and repulsive, as the result of disease, it would be well at this period to consult a dependable oculist with a view of having the deformity corrected. It is a less formidable operation now than it will be later, when he is old enough to dread it. If he has difficulty of breathing through his nose, especially during his sleep, he should be examined for adenoids. These, together with large tonsils, if present, should be removed. Blindness is a sufficient handicap without having possible deafness added.

THE BLIND CHILD AND THE OUTSIDE WORLD.

At this period he will acquire with great rapidity his knowledge of the outside world. If a normal child in other respects, he must not be kept in seclusion. If mentally deficient as well as blind, he should be placed under proper custodial care. As far as possible he should, in his play and in his work, be brought into contact with other children who have all of the normal functions. He can be taught to be independent and courageous, and at the same time cautious. He will soon acquire that marvelous quality, which has been misnamed, the sixth sense, or touch at a distance. He will feel the trees as he nears them. He will be conscious of the open and closed spaces when he comes to them. His ears will grow keen in the recognition of approaching sounds, and he will determine from the reverberation whether the pathway is free or obstructed. When the kindergarten is open to him, the songs that he will sing as the children march with him will teach him rhythm and expression. He will gradually make his fingers the servants of his will, thereby developing the brain centers which control them.

At this early age he will have begun to exercise his reasoning powers and unconsciously will draw conclusions as to the effects that follow causes. He will have learned that fire burns children as well as coals, and that he must approach the blazing grate with caution, that fragile things are easily broken and must be handled with care, that the water pitcher if pulled over will give him an uncomfortable wetting. It will be evident to him, although he will not understand the philosophy involved, that the rules of right living may not be transgressed without the expectation that punishment will follow. He will then have taken his first degree in the school of life.

Soon he will acquire knowledge of a more technical character. He will begin to learn to write by means of the point print which is used in the schools for the blind, to one of which he will be sent by this time. The letters used in ordinary print, if they were pressed through the paper so as to be raised above its surface, would be so small, and the parts would be so close together that they could not be distinguished by the touch of the most sensitive fingers. It was learned many years ago by a young Frenchman, himself blind and a teacher of the blind, that when fairly thick paper is raised into a little mound by a pointed stylus being pressed against it, into a slight depression on the other side of the paper, that the raised point which is so formed on the paper is readily felt by the sensitive finger tip. By arranging these points in varying positions in the space of a cell made for six such points, combinations can be made to represent all of the letters of the alphabet, as well as the signs used in arithmetic, algebra and music. This, the Braille point print, as it is called, is the basis of the point print system, which is used throughout the world by the blind. It has been somewhat modified in America. In some of the schools for the blind the cell is placed horizontally instead of vertically, but the differences are not material and fundamentally the method is the same. It is hoped that in the near future a single system may be made of general application.

TANGIBLE PRINT.

By means of the point print in some of its modifications, blind children in their schools follow practically the same course of instruction as that found in the curriculum of schools for normal children. The standard text-books in arithmetic, grammar, geography and geometry are used also in the schools for the blind. The courses include history, Latin and Greek, as well as modern German and French. The methods are perhaps somewhat more practical in the schools for the blind, in that greater discretion is exercised as to the natural qualities of the individual student. Those having mechanical skill and aptitude are more thoroughly instructed along mechanical lines, where, more especially, manual training is of value. Both boys and girls are taught the use of the saw, the plane and the square. Incidentally, they learn accuracy in their work. They are taught from practical experience that there can be no such thing as a "tolerably" square box or a "fairly" round circle. It is a continuance of the training already begun, that exactitude and precision are the basic elements in education as in life.

If piano tuning is to be the special field chosen for their life work, then they should be tuners of the first rank. They must do their work so well that they will be sought for by the most exacting, otherwise their blindness will be a handicap difficult to overcome. Those of average ability do, however, succeed in this work.

If they are so fortunate as to have musical gifts, not alone the technic of music should be absolutely acquired, but its essential principles must be fully understood; they must know harmony and composition, the history and development of music and the structure of the different musical forms.

If they are to be business men, they must acquaint themselves fully with the methods of modern business. They cannot depend on a pencil and paper to make notes as do those who see, therefore they must learn to think quickly and accurately. The memory must be cultivated.

CONCRETE METHODS.

In the New York State School for the Blind the children learn the multiplication table through the twenties, so that if a boy of twelve is asked how much is seventeen times nineteen the correct answer comes instantly. Special appliances and methods are necessary for instruction. Scales, weights and measures are used to enable them to determine the bulk of a pound of sugar, or of a quart of milk, or of a peck of potatoes, or the length of a yard of cloth. They are taught the quality of materials, so that they can determine by the sense of touch whether the fabric is of cotton or of wool or a mixture of both. They are taught values, and incidentally they are taught ethics and morals, and, as often happens, the incidentals are most important. Thus they are fitted to take their places in the business world or in the home. The girls are taught to sew and to weave, to make hats and to knit stockings. They are taught the principles of home-making, how to cook and what constitutes wholesome and sanitary living. More essential than anything else, they are taught the principles of order. They must very quickly learn that unless their lives are gov-

erned by perfect system, confusion is the inevitable consequence. A place for everything and everything in its place becomes the dominant rule of their lives. As they cannot by a glance around the room find where misplaced things are, it becomes imperative that every object shall be kept where it belongs and it must be put back there after it has been used. All learn to use the typewriter; for this wonderful instrument eyes are not necessary and it makes a method of communication between the blind and their friends, simple, accurate and practicable. For the teaching, particularly of special topics, special appliances must be used. For geography, raised maps are employed and a more vivid picture must be presented to the minds of the blind as they feel the mountain ranges and the depressions for the valleys and the rivers, the points which indicate the cities and the divisions which mark off the states, than is conveyed to those who see by the printed word and the differentiating colors. Special movable blocks are used for teaching arithmetic and adjustable lines and circles for teaching geometry. Raised pictures have been employed for the study of modern history. The mounted bird and the geological specimen convey almost as much to the educated fingers as can be discovered by the glance of the eyes. The blind are taught to distinguish the voices of the birds and to hear the multitude of sounds that escape those of us who see, so completely does the sense of sight overwhelm the other senses. The work in a school for the blind is conducted under the same system, with the same regularity, with the same cheerfulness and brightness that is found in any well-conducted school anywhere. So admirable is the discipline that the school, by means of the fire drill, can be emptied in two minutes when the alarm bell is rung.

One of the greatest difficulties with the blind is to teach them proper table manners. Unless care is exercised, the blind child is apt to fumble at meals with his hands and upset his drinking glass or salt cellar. Under proper training, however, he very soon learns where each object is placed before him and what special things are on his plate. It is best that there should not be too many articles of food given to him at the same time. He can then by delicately manipulating the fork find where is the meat and where the potatoes. He will very delicately locate the cup containing his tea, or the glass containing the water. The meat having been cut for him, he can by means of a piece of bread in one hand and the fork in the other, feed himself as delicately as do those who see.

The habit of excessive cleanliness and care of the person must be emphasized early in life. Not being able to see that his hands are soiled, he must be taught to wash them frequently. The finger nails should be frequently attended to, his hair should be kept nicely brushed and his clothes must be kept free from the dust falling from his hair, or from other evidences of uncleanness. The personal carriage of the blind is of even greater importance than to those who see. An erect position is infinitely more attractive than the stooping or groping motion that is so often assumed by the untrained blind. Much can be done in the matter of personal bearing by the training received in the gymnasium, in walking or in dancing.

TRAINING THE VOICE OF THE BLIND.

The training of the voice is of vital importance. A pleasant, well-modulated voice with a cheerful expression has a winning effect. As the blind are unable to see the faces of those to whom they speak, there is apt to develop an appearance of unresponsiveness and instead of reflecting back a pleasant expression which one meets on the face of a friend on encountering him, the blind person, not seeing, is apt to show nothing in his facial expression. He could very early learn to reflect his own pleasant feelings and to assume that he is greeted, when he speaks to a friend, with a pleasant smile, and return this frankly instead of the half smile or the twitching of the corners of the mouth, which so often mars the facial expression of the blind. The features must be controlled as each of the muscles are controlled. When one feels pleased, he must look pleased, he must learn to smile and to speak agreeably, as a matter of training, so vital are the results to all of us.

Be careful what is said before the blind child. Not seeing, he listens with all his ears. Never speak pityingly of him. Such expressions are discouraging and depressing. Speak rather cheerfully. Teach him to believe in himself by believing in him yourself and by having confidence in his ability. Reward his successes and speak encouragingly of his failures. He needs this stimulus even more than do those who see.

The possibilities of the blind and the varieties of work which they can do are much wider than ordinarily realized. There are blind persons who are successful in business, in the law, in medicine, they have become successful teachers, musicians and writers. Many simple mechanical lines of work are satisfactorily taken up without the aid of sight. It is readily evident, however, that those occupations which are mental rather than physical are those in which they succeed in the highest degree, and when it is possible these should be the lines chosen for those who must make their way in the world without sight.

One of the most important elements in the instruction of the blind is that they should early be trained to distinguish coins from the sense of touch. This is not difficult but it requires a little special application. The size of a penny, a dime and a quarter are sufficiently unlike to make it possible for blind persons of keen intelligence to immediately distinguish them. When the sense of touch is sufficiently trained it is possible to differentiate between American and Canadian coins even when of the same denomination. A blind lad in one of the state schools has his ear so acutely trained that when coins are jingled together in the pocket he is able to tell with almost absolute accuracy the number of coins and their value, and whether they are silver, copper or nickel. As each has a tone peculiarly its own, it is only necessary that the ear should be keen and close attention given in order that this may be done.

PERSONAL HYGIENE.

As the growing boy begins to approach manhood he will have been taught the essentials of personal hygiene, when and how to bathe himself, how to polish his own shoes, and as his beard begins to grow

he must be taught how to shave himself. This will not only add to his mechanical skill but will be another lesson in the series of principles which are being inculcated, to always do for himself everything that is possible for him to do. He will learn the mechanism of the safety razor, and if his fingers have been delicately trained on the piano or the typewriter, he will be able to tell from the sense of touch whether he is shaving himself properly, and to do so without doing himself an injury. He will be learning how to distinguish the qualities of razors and how to use his razor strop; indeed, all of these special lessons that are necessary in order that he may properly care for his own toilet, he will acquire during these early years of his life.

Special teachers for blind children are exceedingly difficult to obtain, and they are rarely necessary. It is not usually desirable that the child should be placed under the care of a governess or a tutor, so essential to the development of the child is the contact with other children. In some of the larger cities, such as Chicago and New York, provision is made in the public schools for blind children and those having such defective sight that are unable to follow the usual school curriculum. In almost every state there is now a school for the blind, and where special provision is not made in the public schools or even sometimes when there are special classes, it is better that the child be sent to a school for the blind at the kindergarten age. In several of the states, commissions for the blind have been established and in others workshops and homes. The schools are maintained on very much the same lines as the ordinary public schools. Tuition and maintenance are free. The purpose of the schools for the blind is to furnish an education and training in some useful trade to all children who, on account of defective vision are unable to secure an education in public schools. In most of the states, the laws governing the admission of pupils to the schools for the blind are practically the same as those of the state of New York, in which children not under 5 years or over 21, whose parents reside in the state, and who are not incapacitated by physical, mental or moral infirmities are eligible. This includes many who have some sight, but whose vision is so defective that they cannot be educated in the common school. In exceptional cases, those over school age, for whom industrial work might be an advantage are admitted by special action of the board of managers when it is thought desirable and when there is room in the school.

In a certain percentage of cases of blindness in children, the loss of sight is but one of the manifestations of a general defective development. It may be associated with any of the grades of feeble-mindedness, even to idiocy. In such cases no attempt should be made to adjust the child to the conditions of ordinary school life, but it should be definitely classified with those of its own mental grade and cared for in accordance with the methods adopted for the feeble-minded.

The earlier a child goes to school the better are his chances of becoming a useful self-supporting and happy citizen. The mistake is often made in keeping him at home through mistaken sympathy, when he should be under definite and systematic training. The teachers and instructors in the schools are large-hearted, sympathetic men and women, and the schools are made as home-like as possible. A physician is

in frequent attendance at the school and is always available when needed. Hospital facilities with good nursing are provided in cases of necessity, and the parents are always welcome at the school and are invited to interest themselves in the work that is accomplished there.

Books for the blind are published in a number of forms of point print, by the Publishing House for the Blind at Louisville, Ky., and many of the public libraries have now established a lending department, through which books in tangible print for the blind may be obtained. Through special provision made by the federal government, these special books, which are large and bulky, are transmitted through the mails free of expense. A tag is attached to the book, and to return it, it is only necessary to place it in the nearest mail box.

THE MOON TYPE.

A form of type that is very commonly used among older blind people, but is infrequently used with children, is what it termed the Moon type, so called after Dr. William Moon, by whom it was devised and through whom, with the aid of his son, the late Dr. Robert Moon, it has been extensively circulated throughout the world. It consists of letters formed very much like the large Roman letter and raised by being stamped through the paper so that they may be felt by the fingers. Books printed in this type are so bulky that its usefulness is confined to those whose fingers are unable to appreciate the finer points of the Braille or some of its modifications, which is now used in all of the schools.

In printing books, zinc stereotyping plates are used, so that a large number of sets may be produced from a single plate. Through this method not only are all of the ordinary school books prepared for blind children, but as well almost all of the classic literature and much that is modern in history, science and fiction.

One of the most important philanthropies inaugurated in the interest of the blind has been the establishment of the Ziegler Magazine, which is printed in the raised point, and which is sent to all blind readers who care to have it, practically free. It is modeled after the current magazines, being especially devoted to those interests relating to the blind and their progress. It is published at 205 West Fifty-Fourth Street, New York City, under the editorship of Mr. Walter C. Holmes, who is always pleased to have the addresses of those who would be interested in receiving the magazine. The most useful American publication for the blind in black print is *The Outlook for the Blind*, under the editorship of Mr. Charles F. F. Campbell of Columbus, Ohio. It is published at 962 Franklin Avenue, Columbus. It summarizes all of the work done for the blind in this country as well as throughout the civilized world. It brings the friends of the blind in touch with each other, discusses problems for their education and advancement, methods of developing industries, and measures by which blind workers may be introduced to those willing to employ blind labor. One of its special features has been the education of the seeing, as to the needs and the possibilities of the blind. Of almost as great importance is it that the seeing should learn to believe in and have confidence in the blind as it is that the blind should believe in themselves.

When this mutual confidence shall have been established the possibilities of future development for this class of our citizens will have been greatly enlarged.

For those who have had a little sight and who have been taught to use the hand in writing, a special slate is employed. This consists of a metal body across which are a number of raised ridges, which keep the pencil within certain limits. This enables the writer to make a clear square letter which is easily read, and which the blind, after proper training of the hand, readily learn to make. All materials used in teaching the blind can be purchased from the Publishing House for the Blind at Louisville, Ky.

As blind children are necessarily much more limited in the range of their occupations than those who see, it is essential that they have greater variety in their games and in their work, otherwise they grow weary and cease to be attentive.

It is the general opinion of those teaching the blind that the more nearly they can be trained as seeing children are and the fewer distinctive methods that are employed, the easier will it be for them to adjust themselves later in life to conditions that obtain among the seeing. At as early a period as possible in the child's life, he should be given an opportunity to play with other children of his own age. With a little supervision, he can be taught to enter into all of their games and to do a great many things that are done by seeing children. It is as true of the blind as it is of those who see that the most important elements in their education come not from teachers but from their associates. The effect of having a blind child among a group of seeing children is mutually helpful. If the children are properly taught, they will soon learn to supplement the lack of sight in their companion by giving him a little help when necessary. They will learn to tell him of things that are about him and describe the things as they see them, and in consequence they will learn how to observe and to express their thoughts, while he will quickly begin to form mental images, as far as he can form them, of his surroundings. It has seemed necessary up to the present time that special schools should be provided for the blind, but thoughtful students of pedagogy are beginning to believe that to have the blind in classes of seeing children is not infrequently of mutual advantage. During the period in which a school for the blind was undergoing repairs, a bright and ambitious pupil was taken temporarily into the class of a high school in a nearby city. When, after some months, he returned to his own school the superintendent, in speaking of this boy's work, said that his presence in the school had been of greatest help to the other lads with whom he had worked in class. His success in overcoming difficulties was a stimulus to their pride and an incentive to their ambition. His presence in class was a constant reminder to them of their superior physical advantages, and they were ashamed to have him outstrip them as he did in their intellectual work. The lad was of a gentle, kindly disposition and his fellow students emulated each other in showing little kindnesses to him, and he introduced thereby into the atmosphere of the school a quality of self-sacrifice, of courtesy and of chivalry, the effect of which was long continued. The added import-

ance of having blind children educated in connection with those who see is that they may realize more keenly the real difficulties of life which are to be met and which have to be overcome. They will not always find kindness and courtesy and they must be prepared to adjust themselves to the harder conditions when they arise.

Even for the younger children, special appliances for the ordinary conveniences of life are rarely necessary. They must eat at the common table, they must use the knives, forks, spoons and plates that other people use, and in the way that other people use them.

WRITING FOR THE BLIND.

The congenitally blind are rarely taught to write. It is a task requiring so much effort and is carried on with so much difficulty that the prevailing opinion seems to be that "the game is not worth the candle." Even a person with the high mental endowments of Helen Keller does not use her pen in writing, but prints her name in a scrawling fashion such as a seeing child of ten years might do. Moreover writing for the blind is rarely necessary because of the availability of the typewriter with its greater clearness and increased accuracy. The typewriter is now in use in all schools for the blind and is taught to all children who have sufficient intelligence to learn to read and write. From a legal standpoint, moreover, the possibility of merely signing one's name has no advantage for the blind man or woman, because not seeing the name after it is written it must be in any event attested by a witness, and his simple mark serves the purpose equally well. An ingenious French contrivance for correspondence between the blind and the seeing, has been devised, but has not yet been introduced in this country. It consists of double ended type, which can be easily set in a frame. On one side of the type is the point print letter, readily recognized by the finger tip, and on the other end the black Latin letter so that when the type is properly set on the one side by the blind writer the other presents the form of the ordinary Latin script, which can be ink rolled and then the impression taken from it, thus enabling the blind student to communicate with his friends who see. The seeing person on the other hand, can set up the type with the black letter surface uppermost, the frame being then removed and the paper put in position and pressed on the point print side. A raised impression is thereby produced which can be readily deciphered by the touch of the blind reader.

For those children who have at some period in their life had sight it is a rather different matter. Having at one time had fluency in the use of the pen, it is by no means difficult, with a little care, to continue to write without looking on the paper. A very simple arrangement can be made for this purpose consisting of a wooden slate having stripes on each side holding the paper in position, and a cross wire, which can be slipped down at regular intervals, to be used as a guide. At the end of this wire is a small knot which will indicate to the finger as the bell on the typewriter indicates to the typist when the end of the line is being reached. A stylographic pen should, of course, be used as it would be impossible for the blind writer to know when the ink had become exhausted. By using such a guide and with

a little care it is quite possible for the expert penman to write clearly and distinctly without seeing the paper.

A perusal of Dr. Lewis' article and of the various laws concerning the blind in the different states, brings to the surface certain fragmentary conclusions about blind people that seem to be noteworthy. For instance, the fact that even a *little* sight is of extreme value to blind people, and that every effort should be made to preserve even a fractional amount of vision. To those fortunate individuals who are blessed with an abundance of sight, the reduction of this sense, to a bare perception of shadows, or hand movements, seems almost useless. And yet, if this is all the vision possessed by a blind man, he cherishes it, as a miser cherishes his gold. It is of great value to him, in enabling him to get about, and to prevent his stumbling into objects, and it keeps up his courage wonderfully, as he feels he can see—at least, a little, and is not totally blind.

Every effort should be made to improve the general health of blind people. Being blind, they naturally seek quiet, and sedentary occupations, but this should be discouraged. The supreme and continuous effort of a blind man's life, should be to minimize his affliction as much as possible. He should be in the fresh air much of his time, should exercise, join in games and gymnastics, should receive all the education he will receive, should be thoroughly taught some useful, and—if possible, pleasant occupation, should have all his other senses, cared for and educated, should be taught to keep clean and attractive, in person, clothing, habits, etc., should learn self-reliance and self-helpfulness, should (if necessary) be supplied with the means, tools, etc., to establish himself in a business, profession or trade, should be assisted in disposing of manufactured articles, and should be made to realize that his product must be good and must sell on its merits and not because of charity or sympathy.

Blind people need friendly aid, cheerful surroundings, pleasant amusements and helpful companionship. They can do almost anything if properly educated. Not so well, of course, as seeing people, but very well indeed. The average blind worker is about 70 per cent. self-supporting. This is better than being *entirely* supported by the state, and it gives a blind person the blessing of useful occupation, and of an accumulating self-respect.

In Wood's Encyclopedia of Ophthalmology will be found a most excellent account of the blind institutions, etc., in the United States by Chas. F. F. Campbell. I have taken the liberty of utilizing this production, and contracting it to a small space, in order to

still further disseminate a knowledge of work for the blind in the various states. I have also added some facts of my own gathering. Campbell's article mentions all kinds of blind institutions and organizations, state, charitable, etc. In my own portion of this paper, which follows, I give no space to any blind institutions, organizations, etc., which are not organized by the state, and supported by the state. This series of papers is concerned merely in state laws.

ALABAMA.

Society for the Benefit of the Blind at Birmingham, to assist the blind to get technical education and find employment.

State Institution for the Deaf, Dumb and Blind at Talladega, for the technical education of children. J. H. Johnson, Supt.

Birmingham Association for the Blind, fourth floor City Hall building, Birmingham. Mrs. W. W. Bussey, Pres.; Miss B. E. Meyer, Secretary.

Alabama School for the Blind, Talladega. F. H. Manning, Supt.

School for the Negro Deaf Mutes and Blind, Talladega. J. S. Graves, Supt.

There is no commission for the blind. There are no laws concerning the blind.

Library for the Blind, Talladega; 1,100 volumes.

Library for the Blind, Montgomery; 88 volumes.

ARIZONA.

There is no commission for the blind. There is no State School for the blind.

A 1912 law empowers the State Board of Education to provide care, maintenance and instruction for blind babies and children under school age at the rate of \$1.00 per day. This continues until the child is six years old, or the Board may continue this until the child is twelve years of age.

ARKANSAS.

State School for the Blind at Little Rock. J. H. Hineman, Supt.; W. H. Hall, Chairman (Camden); J. Ferguson, Secretary (Magnolia). Supported by the State.

There is no commission for the blind. There is no society or committee.

Library for the Blind, Little Rock; 1,770 volumes.

CALIFORNIA.

Industrial Home of Mechanical Trades for the Adult Blind, 3601 Telegraph Avenue, Oakland. Supported by the State (at least mostly). Dormitory cost \$50,000. Fireproof, as it *should* be for the blind. Broom-making is the leading work, as usual for males. Occupation makes the blind happy. The female blind do best at fancy work, chair caning and whisk broom making. J. P. Irish, Pres. (Oakland); G. S. Meredith, Sec.; J. Sanders, Supt. (blind man).

Institution for the Deaf, Dumb and Blind, Berkeley. L. Jenks, Pres.; L. E. Milligan, Supt. Supported by the State.

California Society for the Prevention of Blindness. Dr. C. S. G. Nagel, Pres., 209 Post Street, San Francisco; Dr. N. Perry, Sec., 2808 Derby Street, Berkeley.

San Francisco Association for the Blind, 1526 California Street, San Francisco. Mrs. M. Friedman, Pres. Has a reading room and library. The blind are here read to and entertained. They assist the adult blind. They make baskets, brooms, etc. It is supported by voluntary contributions.

There is no commission for the blind.

The Legislature of 1915 provided that blind graduates of the State School for the Blind at Berkeley, attending the University of California or any other State Normal School, may have text books read to them at State expense, to the extent of \$300 per annum per person. The fund is under the control of the Board of Directors of the State School for the Blind. A 1913 law (Legislature) employs a home teacher for the blind.

Library for the Blind, Berkeley, 1,500 volumes.

Library for the Blind, Sacramento, 3,600 volumes.

Library for the Blind, San Francisco, 400 volumes.

COLORADO.

There is a State School for the Blind and Deaf at Colorado Springs. W. K. Argo, Supt. There are trustees. They do much poultry raising. Supported by the State.

Industrial Workshop for the Blind, 618 E. Arizona Avenue, Denver. Partly supported by the State.

There is no commission for the blind.

The Legislature of 1913 provided instruction for blind adults at their homes. This is under the State Superintendent of Public Instruction.

Library for the Blind, Colorado Springs, 1,100 volumes.

CONNECTICUT.

Connecticut Blind People's Association, Meriden. F. G. Comstock, Pres.

Connecticut School for the Blind, Hartford. Geo H. Marshall, Supt.

Connecticut Institute and Industrial Home for the Blind, Hartford.

Miss L. Russell, Supt. for nursery for blind babies; G. H. Marshall, Supt. for school department; R. E. Colby, Supt. trades department. Partly supported by the State.

Connecticut Kindergarten for the Blind, Farmington.

There is a State Commission for the Blind.

At the New Haven Normal School of Gymnastics lectures on the eyes are given by Dr. Blake. Instruction is given as to how school tests for eyes, etc., can be made by teachers.

Legislature of 1913 created a State Board of Education for the Blind, consisting of the Governor, Chief Justice and two other members appointed by the Governor. This Board has general supervision of the blind in the State. It is the only State doing this. It allows \$300 a year for the instruction and training of all blind people recommended by the Board.

Library for the Blind, Hartford.

DELAWARE.

There is a State Commission for the Blind at Wilmington, for industrial purposes only. C. R. Van Trump, Chairman; D. Snellenburg, Sec., 305 W. 8th Street. Partly supported by the State. The Commission operates a "Blind Shop" at 305 W. 8th Street, Wilmington, and employs about 20 men, who earn their living. The Blind Shop has a free library, 772 volumes. They make rugs and carpets, brooms, chair caning, baskets, knitting and crocheting, and do piano tuning.

There is no asylum for the blind. The State pays no adequate pension. It pays blind people \$3.00 a week for two years to pay expenses of teaching a trade.

DISTRICT OF COLUMBIA.

Columbia Polytechnic Institute for the Blind, 1808 H Street N. W., Washington. R. W. Swann, Manager. They do much printing. It is supported by voluntary contributions.

Aid Association for the Blind, 3050 R Street N. W., Washington. Home and workshop; both sexes; white and colored. Supported by voluntary contributions.

District of Columbia Association of Workers for the Blind. F. F. Hufty, Pres., 1808 H Street N. W., Washington. The active members are blind.

National Library for the Blind, 1729 H Street N. W., Washington.

The Library of Congress, Department for the Blind.

FLORIDA.

Institution for the Deaf and Blind, St. Augustine. A. H. Walker, Supt. Partly supported by the State.

There is no commission for the blind.

Library for the Blind, St. Augustine; 175 volumes.

GEORGIA.

Georgia Academy for the Blind, Macon. A. L. Miller, Pres.; T. D. Tinsley, Sec.; G. F. Oliphant, Supt. This academy gives a four-year course, both charity and pay. It admits people between the ages of seven and twenty-five. It receives poor pupils from each county. Trustees are appointed by the Governor. Also ten visitors are appointed by the Governor. Partly supported by the State. A receiver in each county keeps a record of the number of blind between the ages of seven and twenty-five. These are sent annually to the Comptroller General. He sends the names to the Trustees. Each county has a Board of Health. They elect a County Health Officer. He visits the schools annually, examines teachers and pupils and delivers lectures. He examines the pupils for eye, ear, nose and throat diseases. About eight out of 148 counties do this. Local inspectors do the same.

There is no commission for the blind, no society for the blind. The State pays no pension to the blind.

Library for the Blind, Macon; 2,500 volumes.

IDAHO.

State School for Deaf, Dumb and Blind at Gooding. W. E. Taylor, Supt. Under State Educational Commission. E. O. Sisson, Chairman (Boise). Partly supported by the State.

There is no commission for the blind, no society for the blind. The State pays no pension to the blind.

Library for the Blind, Gooding; 200 volumes.

Indigent blind people are cared for by the State to the extent of \$180 per annum.

ILLINOIS.

Illinois Charitable Eye and Ear Infirmary, 904 W. Adams St., Chicago. J. L. O'Connor, Supt.

Industrial Home for the Blind, 1901 Marshall Boulevard, Chicago. W. F. Schultz, Supt. Workshop for the blind, supported by the State.

Illinois School for the Blind, Jacksonville, Ill. H. C. Montgomery, Supt. Supported by the State.

Illinois Society for the Prevention of Blindness, 30 N. Michigan Boulevard, Chicago. C. L. Hutchinson, Pres.; Miss C. C. Van Blarcom, Sec.

Board for the Visitation and Instruction of Adult Blind, 31 S. Sacramento Boulevard, Chicago. C. E. Comstock, Supt.

Co-education of the Blind and the Seeing. J. B. Curtis, Supervisor. Chicago was the first city in America to educate blind and seeing children together. The move was begun in 1900.

Visitation and Instruction of the Adult Blind, 5618 Drexel Avenue, Chicago. Chas. E. Comstock, Supt. Visits and instructs blind people and sells their products.

The State pays the adult blind (properly qualified) \$150 per annum. Each county pensions its own blind.

There is no commission for the blind.

The Chicago Public Library has 1,450 volumes for the blind. Jacksonville has 4,500 volumes for the blind.

INDIANA.

Institution for the Education of the Blind, Indianapolis. Geo. S. Wilson, Supt. Supported by the State.

Board of Industrial Aid for the Blind, Indianapolis. C. D. Chadwick, Executive Sec. Similar to a State Commission.

Indiana Association of Workers for the Blind, Indianapolis. B. F. Smith, Pres., 125 West Fall Creek Boulevard, Indianapolis. Supported by voluntary contributions. This institution does all kinds of work for the blind and for the prevention of blindness. The State provides readers for blind students.

There is no commission for the blind. The State Board of Charities and Correction looks after all such matters.

The library at the School for the Blind in Indianapolis contains 2,075 volumes.

The State Library at Indianapolis contains 640 volumes.

IOWA.

State College for the Blind, Vinton. Under State Board of Education. Supported by the State. Geo. D. Eaton, Supt.

Iowa Association for the Blind, Des Moines. Mrs. J. B. Jordan, Pres. (Vinton).

The State Medical Society has a Conservation of Vision Committee. Dr. H. G. Langworthy, Chairman (Dubuque).

Home for Sightless Women, 1424 30th St., Des Moines. Mrs. E. A. Whitcomb, Sec. This institution has no State aid.

There is no commission for the blind.

There is a State pension for the blind of \$150 a year to those whose income is under \$300 a year, paid by counties.

Library for the Blind, Des Moines, 270 volumes.

Library for the Blind, Vinton, 3,790 volumes.

KANSAS.

State Blind School, Kansas City, Kansas; teaches literary work and trades. Mrs. Grace N Roseberry, Supt. Supported by the State.

There is no commission for the blind. The State pays a pension to the blind. The State pays for readers for the blind.

Library for the Blind, Kansas City; 330 volumes.

KENTUCKY.

State Society for the Conservation of Vision, Lexington. J. A. Stucky, Pres.; Miss Linda Neville, Sec. No State aid.

Institute for the Blind, Louisville. Visiting board is appointed by the Governor. Supported by the State. This institution admits people of the ages from six to twenty-one years. Susan B. Merwin, Supt.

Kentucky Workshop for the Blind. C. B. Martin, Supt. No State aid.

The Mountain Fund. Supported by voluntary contributions. This affords means to enable eye sufferers in the mountains to secure expert treatment. Miss Linda Neville, Manager (Lexington).

American Printing House for the Blind, Louisville. Does printing for the blind.

There is no commission for the blind.

Library for the Blind, Louisville Free Public Library, 300 volumes.

Library for the Blind at the Institution for the Blind, Louisville, 2430 volumes.

LOUISIANA.

Louisian State Commission for the Blind, New Orleans. This is not a State affair. It is a private association. Rev. A. O. Brown, Pres. (Y. M. C. A., New Orleans); Mrs. R. L. Skinner, Sec. (6222 Louisa St., New Orleans); Dr. J. W. Newman, Vice-Pres. Dr. Newman is also Chairman of the section for the Prevention of Blindness of the State Medical Society.

Institution for the Blind, Baton Rouge. G. C. Huckaby, Supt. Supported by the State.

St. Beatrice Circle of St. Margaret's Daughters, New Orleans. Supported by voluntary contributions. To work for and instruct the blind. Mrs. F. D. Ross, Pres., 917 Washington Ave., New Orleans.

Library for the Blind, Baton Rouge, 800 volumes.

MAINE.

Maine Institute for the Blind, 199 Park Avenue, Portland. M. F. Baldwin, Supt. Partly supported by the State.

Friendly Society of Blind People. This is for their personal benefit. F. Barker, Pres. (Gardiner); C. DeBack, Sec. (Portland).

The State gives \$1.00 a day to blind children, under school age, for

their care, maintenance, education, etc., if the parents are unable to do so.

The State (since 1915) gives through the Governor and Council \$200 a year to all blind persons over 21 years of age who are not in charitable or penal institutions. Their income must be less than \$300 a year. Doctors are allowed \$2.00 to examine such patients.

There is no society or committee for the blind. There are no laws concerning the blind, and no commission for the blind.

The Public Library in Portland is well supplied with books for the blind.

MARYLAND.

Maryland Society for the Prevention of Blindness, Baltimore. J. Packard, Pres.; J. J. Carroll, Sec. (405 N. Charles St., Baltimore). No State revenue.

Maryland Association of Workers for the Blind, Associated Blind Men of Maryland, Associated Blind Women of Maryland, 501 W. Fayette St., Baltimore. Mrs. C. Masbach, Sec. They help to raise money for the blind.

Maryland Workshop for the Blind, 501 W. Fayette St., Baltimore; Mr. Connor, Supt. Partly supported by the State and the City of Baltimore.

School for the Blind, Overlea; J. F. Bledsoe, Supt. Partly supported by the State.

School for the Colored Blind and Deaf Mutes, Overlea. J. F. Bledsoe, Supt.

Home Teaching, Baltimore. Miss V. Kelly, Supervisor. Teaches the blind at homes and factory and disposes of their work.

Library for the Blind, Baltimore, 1,760 volumes.

Library for the Blind, Overlea, 3,680 volumes.

There is no pension for the blind.

There is a State law requiring blind children between the ages of 6 and 16 to attend a school for the blind.

There is a "State Commission for Improving the Condition of the Adult Blind." It is its duty to investigate the condition of the blind and may furnish money for the relief of individual cases.

MASSACHUSETTS.

Perkins Institution and Massachusetts School for the Blind, Watertown. E. E. Allen, Supt. Partly supported by the State.

Howe Memorial Press, Perkins Institution. Prints literature, etc., for the blind. F. C. Bryan, Manager.

State Home-Teaching for the Adult Blind. Under supervision of the Perkins Institution. Partly supported by the State. It teaches the blind in their homes. J. Vars, Principal.

Perkins Institution Workshop, 549 East 4th Street, South Boston. Salesroom, 383 Boylston Street, Boston. No state aid. Principal industries are mattress making and chair caning. F. C. Bryan, manager.

Massachusetts Association for Promoting the Interests of the Blind, Cambridge.

Boston Nursery for Blind Babies, 147 S. Huntington Avenue, Roxbury. No State aid. Miss J. A. Eussell, Supt.

Worcester Memorial Home for the Blind, 81 Elm Street, Worcester. Supported by voluntary contributions. (For blind women.) Miss B. Rice, Matron.

State Commission for the Blind, started in 1906. This covers (under amendment) prevention and conservation of work. J. P. Monroe, Chairman, 3 Park Street, Boston. This commission operates workshops in Pittsfield, Lowell, Worcester, Fall River and Cambridge. They make mattresses, chair caning, rugs, mops, willow ware, etc.

Outlook for the Blind. A publication for the blind. S. E. Allen, Sec. Perkins Institution.

Libraries for the Blind: Boston, 1,052 volumes; Brookline, 100 volumes; Lynn, 255 volumes; New Bedford, 214 volumes; Watertown, 13,999 volumes; Worcester, 295 volumes.

MICHIGAN.

Blind People's Welfare Association. Miss R. Griffith, Pres. (800 Clancy Street, Grand Rapids); Floyd Waite, Sec. (Grand Rapids).

Grand Rapids Association for the Blind. Miss E. Griffith, Sec, 800 Clancy Avenue N. E., Grand Rapids.

School for the Blind, Lansing. C. E. Holmes, Supt. Supported by the State.

Co-education of the Blind and the Seeing in the Public Schools of Detroit. Begun in 1912. Teacher in charge, Fannie S. Fletcher.

State Aid for Blind Babies. The State Board of Education is authorized by the State to care for and educate blind children under school age, whose parents cannot do it. They may pay not to exceed \$5.00 a week. Bill passed in 1913.

Employment Institution for the Blind, Saginaw. Teaches trades for the blind. F. G. Putnam, Supt. Supported by voluntary contributions.

Home for Blind Babies, Monroe. Mrs. M. O. Laughlin, Matron. Supported by voluntary contributions.

There is no commission for the blind.

Libraries for the Blind: Detroit, 222 volumes; Lansing, 3,735 volumes; Saginaw, 2,500 volumes.

MINNESOTA.

The State Institutions for the Blind, Deaf and Feeble-Minded at Faribault are under State control and support. J. J. Dow, Supt.

Minneapolis Society for the Blind, 206 S. 4th Street, Minneapolis. J. C. Vance, Pres.; Miss E. H. Marsh, Sec.

Summer School for the Blind, Faribault. J. J. Dow, Supt. Teaches blind men and women during the summer months.

Field and Employment Agency for the Blind, Faribault. Supported by the State. J. J. Dow, Supt.

Higher Education Aid. Three hundred dollars a year is given to a few blind students in schools. This is done under the direction of the Board of Directors of the Minnesota School for the Blind, and the money is furnished by the State.

State Aid for Blind Infants. The State Board of Control cares for and educates blind children under school age.

There is no commission for the blind.

Library for the Blind, Faribault, 4,000 volumes.

MISSISSIPPI.

State School for the Blind, Jackson. Dr. R. S. Curry, Supt. Here the blind are educated in arts and literature. Supported by the State.

Library for the Blind, Jackson; 1,000 volumes.

MISSOURI.

St. Charles Association for the Blind, St. Charles. Miss A. A. Ruenzi, Pres. (Blind); Mrs. E. M. Salvator, Sec.

Missouri Association for the Blind, 703 Metropolitan Building, St. Louis. R. Johnston, Pres.; Mrs. Anna F. Harris, Sec. Organized 1911. It has a workshop at 1624 N. Jefferson Avenue, where 50 men are employed. The shop earns 70% of its expenses. Broom making is the most important industry. Supported by voluntary contributions.

The United Workers for the Blind, 2616 Gamble Street, St. Louis. J. Unterberger, Pres., 6033 Westminster Street, St. Louis. For blind men. They help the sick who are blind, pay funeral expenses and procure pensions. They publish *The World of the Blind*.

Missouri School for the Blind, 19th and Morgan Streets, St. Louis. M. Collins, Pres.; O. Hammer, Sec.; S. M. Green, Supt. Supported by the State.

Blind Girls' Home, 5235 Page Boulevard, St. Louis. This was started by blind girls and is a charitable institution.

A commission for the blind was created March 13, 1915, by legislature. Members are appointed by the Governor. Partly supported by the State. J. D. P. Francis, Pres.; J. C. Jones, Sec.

The Missouri Commission for the Blind has a county organization in 97 counties; each has a county chairman who is a member of the Missouri State Medical Society. Dr. W. H. Luedde of St. Louis is the Chief Medical Officer. Supported by voluntary contributions.

State Aid for College Students. In 1913 a law was passed whereby blind students desiring higher education may be assisted by the State to the extent of \$300 per annum. He must show that neither he, his parents nor guardian can pay for a reader.

There is a pension for the blind.

Libraries for the Blind: St. Louis, 490 volumes; St. Louis School for the Blind, 4,760 volumes.

MONTANA.

School for the Blind, Helena. Under the State Board of Education. State School for the Deaf and Blind at Boulder. H. J. Menzemer, Pres. Admits people to the age of twenty-one. Supported by the State. There is no commission for the blind.

Library for the Blind, Boulder; 190 volumes.

NEBRASKA.

Institution for the Blind, Nebraska City. N. C. Abbot, Supt. Supported by the State.

Nebraska Commission for the Blind, Nebraska City. N. C. Abbott, Supt. This is under the Board of Commissions of State Institutions. The Advisory Board is the executive. The Commission has a Superintendent and a Field Agent. Supported by the State.

Committee of the Nebraska Association of Workers for the Blind. L. A. Harris, Pres.; E. C. Cook, Sec.

Library for the Blind, Nebraska City; 4,000 volumes.

NEVADA.

There is no society, commission or school for the blind.

The State pays no pension to the blind.

NEW HAMPSHIRE.

There is a so-called New Hampshire Association for the Blind. Rev. A. M. Dunstan, Pres. (Tilton). This provides industrial pursuit for the blind. Supported by voluntary contributions.

Legislature for 1913 passed laws for assisting the adult blind. Under control of the State Board of Charities and Corrections. H. J. Van Vliet, Supt. Five thousand dollars was appropriated for the purpose.

There is no incorporated society and no state commission. The State Board of Charities and Correction looks after such matters. It provides for the education and maintenance of blind children in special schools. It assists the adult blind to receive training in their homes or in industrial schools for the blind. It sells the product of the blind.

There is a pension for the blind. Law of 1915. The County Treasurer's fund may be drawn upon to the extent of \$150 a year for each blind person in need.

Libraries for the Blind, Concord, State Library; Manchester, City Library.

NEW JERSEY.

The Committee for the Purpose of Ameliorating the Condition of the Blind: W. F. Morgan, Pres. (Short Hills); Mrs. E. P. Earle, Sec. (Montclair); Lydia Y. Hayes, Supervisor (Newark). Supported largely by the State. This is a State Commission.

New Jersey State Commission for the Blind, 54 James Street, Newark: Miss A. I. Wood, Sec.; Mrs. A. T. Beckitt, Pres.

St. Joseph's Home for the Blind, Pavonia Ave., Jersey City. School classes for the blind in New Jersey. Head teacher, Miss J. G. Patterson, 8 S. Arlington Ave., East Orange. Jersey City teacher, Miss C. M. Croff, 14 Madison Ave., Jersey City. Sister M. Gertrude, Supt. Supported by voluntary contributions.

Trenton Association of Workers for the Blind, New Jersey. S. Van Hise, Pres., 127 Perry Street, Trenton; Mrs. J. S. Crosland, Sec, 108 Centre Street, Trenton.

Camden County Association of Workers for the Blind of New Jersey. W. Tushingham, Pres., *Courier* office, Camden; Mrs. E. Robinson, 314 Elm Street, Camden, Sec. Its purpose is to promote the interests of the blind.

New Jersey Blind Men's Club, Newark. W. Blunt, Pres., 175 N. Maple Street, East Orange; W. J. Adickes, Sec., Hoboken.

New Jersey State Association for the Blind. W. J. Dawson, Pres., 1028 Broad St., Newark; Miss L. Y. Hayes, Sec., 217 Walnut St., Montclair.

The Lighthouse, conducted by the Trenton Auxiliary for the Indus-

trial Blind, 346 S. Warren St., Trenton. Mrs. H. F. Andrews, Pres.; Mrs. J. D. Williamson, Sec.

New Jersey Federation of Associations of Workers for the Blind, Trenton. C. H. Mumby, Pres., 226 Broadway, Bayonne; D. J. O'Brien, Jr., Sec., 776 Grand St., Jersey City. This organization unites several blind associations.

New Jersey Progressive Blind Men's Society, Jersey City. C. H. Mumby, Pres., 226 Broadway, Bayonne; L. P. Schuerman, Sec., 69 Bayview Ave., Jersey City.

Amelioration Association for the Blind. J. D. O'Brien, Jr., Pres., 776 Grant St., Jersey City; Miss E. M. Brown, Sec., 54 Siedler St., Jersey City.

Arthur Home for Blind Babies, Summit. Miss A. Welch, Supt. Supported by voluntary contributions.

Home of Our Lady of Perpetual Help for the Blind, Bayonne. Home and school for the blind. Sister Rosalie, Supt.

New Jersey Association for the Blind, Montclair. Promotes the interests of the blind. Rev. W. J. Dawson, Pres.

Trenton Auxiliary for the Industrial Blind, 346 S. Warren St., Trenton. Mrs. H. F. Andrews, Pres.

New Jersey pays for the education of blind children in institutions in other States.

The blind and seeing children are educated together in the public schools of Newark and Jersey City.

New Jersey pays \$450 a year for the care, education, etc., of blind children under school age who are in need.

NEW MEXICO.

State Institution for the Blind, Alamogordo. R. R. Pratt, Supt. Supported by the State.

There is no commission for the blind.

Library for the Blind, Alamogordo, 500 volumes.

NEW YORK.

New York Guild for the Jewish Blind, New York City. E. B. Levy, Pres., 736 West End Ave.

Hebrew Association for the Blind, 261 Broadway, New York City. B. Berinstein, Pres.; Miss R. Stern, Sec.

Albany Association for the Blind, 31 Elk St., Albany. Mrs. Mary V. Hun, Sec.

The Cayuga County Association for the Blind, Merrifield. A. E. Bigelow, Pres.; Miss H. E. Bigelow, Sec.

The Rochester Association of Workers for the Blind, Rochester. Mrs. A. Allen, Pres. (2 Olive St.); Mrs. S. Davis, Sec. (87 Troup St.).

Utica Association for the Blind, Utica. J. R. Proctor, Chairman; Miss A. Connelly, Sec. Supported by voluntary contributions.

Council of Jewish Women, New York City. Mrs. W. Sperhorse, Pres. (Hawthorne Ave., Parchester); Mrs. C. Rosenstein, Chairman of the Committee for the Jewish Blind (564 W. 160th St., New York).

New York Association for the Blind. (The Lighthouse). 111 E. 57th St., New York City. Miss W. Holt, Sec. Supported by voluntary contributions and an endowment.

Golden Rule Alliance of America, 75 5th Ave., New York. Fanny J. Crosby, Pres.; Mabel F. Holman, Sec.

Institution for the Blind, New York City. C. B. Tewksbury, Supt.

New York Institute for the Education of the Blind, 34th and 9th Ave., New York. E. M. Van Cleve, Principal. Supported by the State and its own income.

State School for the Blind, Batavia. C. A. Hamilton, Supt. Supported by the State.

Catholic Institute for the Blind, 175th St. and University Ave., New York. Sister M. Bertrand, Supt. Supported by the city and voluntary contributions.

Headquarters for the Blind, 267 Schermerhorn St., Brooklyn. T. J. Riley, Supt. Supported by voluntary contributions.

Department for the Blind. C. B. Hayes, Supt. Teaches the blind and sells their work.

New York Federation of Workers for the Blind, Batavia. C. A. Hamilton, Sec. For helping the condition of the blind.

Central Council of Workers for the Blind, New York. A clearing house for work for the blind. C. B. Hayes, Pres.

New York Blind Aid Association, 442 W. 35th St., New York. A relief organization for the blind.

Blind Babies' Mothers' Association, 66 Broadway, New York. Its purpose is to help the blind and their parents. F. H. Jerome, Sec.

Brooklyn and Queens Blind Welfare Society, 3 S. Elliott Place, Brooklyn. A blind association to help the blind. E. Tyson, Pres., 291 Nosstrand Ave., Brooklyn.

The Manhattan and Bronx Blind People's League, 379 E. 15th St., New York. E. Heil, Sec. For the benefit of the blind.

Mispah Circle, 516 Gates Ave., Brooklyn. Miss M. Braun, Sec. For helping blind people.

City Home, Blackwell's Island, New York. For the poor blind. Supported by the city.

Home for the Relief of the Destitute Blind, 104 St. and Amsterdam Ave., New York. Mrs. M. J. Brown, Matron.

Home for the Blind, 550 Washington Ave., Brooklyn.

Home for Christian Episcopalian Blind Women. Miss A. L. Hodgkiss, Supt. Supported by the Episcopalian Church. Entrance fee, \$250.

King's County Almshouse, Brooklyn. Instruction and entertainment is here given to the blind.

St. Joseph's Blind Asylum, Staten Island, New York. For blind girls and women. Sister Superior, Sister M. Ann. Supported by voluntary contributions.

New York State and New York City Aid for Blind Babies and Children. The commissioner of education may send blind children to certain institutions and pay \$1.00 a day for their support.

International Sunshine Home for Blind Babies, Dyker Heights, 84th St. and 13th Ave., Brooklyn. Supported by voluntary contributions.

Albany Association for the Blind, 105 Lancaster St., Albany. F. L. Fros, Pres. Its purpose is to teach industries to the blind. Supported by voluntary contributions.

Buffalo Association for the Blind, 489 Ellicott St., Buffalo. J. E.

Eldridge, Supt. Teaches industries to the blind. Supported by voluntary contributions.

Syracuse Association of Workers for the Blind, Y. M. C. A. Bldg., Syracuse. Supported by voluntary contributions.

Tri-County Association for the Blind, Glen Falls. Mrs. R. W. Sherman, Treasurer.

Tuning School, 357 E. 49th St., New York. Teaches the blind piano tuning.

Bourne Workshop for the Blind, 338 E. 35th St., New York. D. Killinger, Supt.

Industrial Home for the Blind of Brooklyn, 512 Gates Ave., Brooklyn. E. P. Morford, Supt. Supported by voluntary contributions.

Recently the New York State Committee for the Prevention of Blindness (Miss L. L. Schuyler, Chairman) and the American Association for the Conservation of Vision, merged and made one body—the National Committee for the Prevention of Blindness, 130 E. 22nd St., New York. E. M. Van Cleve, Managing Director; Miss Marion A. Campbell, Office of the National Committee. The New York State Committee retains its identity and scope of action, but is no longer an independent organization.

There is also a New York State Commission for the Blind, 105 W. 40th St., New York. Miss M. Campbell, Sec. Its purpose is to improve the condition of the blind. The commission is under State control and members are appointed by the Governor. State appropriation, \$3,000 a year.

The blind and seeing are educated together in the public schools. Miss F. E. Moscrip, Supervisor.

The State provides \$300 a year for each needy blind person attending Universities. Law of 1907.

New York City provides \$100 a year to needy blind people. There is no state pension for the blind.

The Matilda Ziegler Magazine for the Blind, 250 W. 54th St., New York. W. G. Holmes, Pres.

Libraries for the Blind: Albany, 3,975 volumes; Auburn, 100 volumes; Batavia, 4,750 volumes; Brooklyn, 2,255 volumes; Buffalo, 100 volumes; New York Institute for the Education of the Blind, 3,800 volumes; New York Public School Classes for the Blind, 200 volumes; New York Public Library, 8,000 volumes; Rochester, 50 volumes.

NORTH CAROLINA.

North Carolina Association of Workers for the Blind, Raleigh. All blind people. H. G. Easley, Pres. (High Point); Miss F. E. Fleming, Sec. (Hester). Incorporated 1913.

North Carolina Institution for the Blind, Deaf and Dumb, Raleigh. Supported by the State.

Society for the Prevention of Blindness. J. E. Ray, Sec. Officers are appointed by the State Medical Society. It is not incorporated, has no charter and is not under State government.

North Carolina Association of the Blind, Greensboro. An industrial home for needy blind women. H. C. Easley, Pres.

There is no commission for the blind.

Library for the Blind, Raleigh, 3,500 volumes.

NORTH DAKOTA.

State School for the Blind, Bathgate. B. P. Chapple, Supt. Supported by a fund supplied by the United States and the State of North Dakota.

State Aid for the Blind. The Legislature in 1913 passed a bill providing for the support, education, etc., of blind children under school age. The money is supplied to the State Board of Control.

There is no commission for the blind.

Library, Bathgate; 770 volumes.

OHIO.

Cleveland Society for the Blind, 612 St. Clair Ave. North, Cleveland. Mrs. E. B. Palmer, Sec. This society helps the blind in many ways. Supported by voluntary contributions.

Cleveland Society for the Blind, 1906. Teaches occupations to the blind.

Home Publishing Society for the Blind, Cleveland. Provides literature for the blind. R. B. Irwin, Pres., 1443 E. 3rd St., Cleveland.

Dayton Association for the Blind, 1907. Mrs. E. F. Barney, Pres. Its purpose is to promote the general welfare of the blind.

State Aid for College Students, 1913. Furnishes readers to college students.

Ohio State School for the Blind, 1837, Columbia. C. F. F. Campbell, Supt. The plant is valued at \$800,000. Supported by the state. Annual appropriation, \$100,000.

Ohio State Medical Association, Committee for Conservation of Vision. Dr. G. C. Schaeffer, Chairman (Columbus).

Clovernook Home for the Blind, Mt. Healthy, Ohio. For blind women, mostly of advanced age. Entrance fee, \$300 for those able to pay.

Cincinnati Association for Welfare of Blind, 1911, 1506 Bremen St. C. F. Kuhn, Supt. Teaches basket making, brooms, etc.

Commission for the Blind appointed by the governor, 1908. Partly supported by the State. They look after legislation for the blind, prevention of blindness, they employ special public eye nurses, look after the instruction of the blind, teaching of occupations, disposal of goods of the blind, deliver lectures on conservation of vision, distribute printed matter, etc. 335 S. High St., Columbus. M. E. Miskall, Pres. (East Liverpool); C. F. F. Campbell, Sec. (Columbus).

Cincinnati Library Society for the Blind, 1901. Provides reading, entertainment, visits, aid, medical service, clothing, etc., to the blind. 2,200 volumes.

A law passed 1908 provides for pensions to be paid to blind people, not to exceed \$150 a year to any person. Money is distributed through the commissioner in each county. In order to receive a pension, persons must be blind, must reside in county one year and must have become blind while a resident of the State, or have been a resident at the time of the passage of the act. The pension is granted to the needy and those who, unless given this relief, would become a charge upon the public. About \$400,000 distributed annually.

The blind and the seeing children are educated together in some

of the Cincinnati, Cleveland and Toledo public schools. R. B. Irwin is the director in all these schools.

In 1913 Ohio passed a law providing means to furnish readers to blind people desiring to become educated in colleges, universities, etc. They must be unable to pay for this themselves and must be recommended by the State School for the Blind and the State Board of Administration. The amount that may be paid is not specified.

The State pays a pension to the blind.

Libraries for the Blind: Cincinnati, 2,200 volumes; Cleveland, 690 volumes; Columbus.

OKLAHOMA.

School for the Blind, Muskogee. There is legislation concerning the establishment and maintenance of this place. O. W. Stewart, Supt. Supported by the State.

There is no commission for the blind.

Library for the Blind, Muskogee, 2,000 volumes.

OREGON.

Oregon State School for the Blind (1873) Salem. Under State Board of Control. The members consist of the Governor, Secretary of State and State Treasurer. E. T. Moores, Supt. Supported by the State.

Workshop for the Adult Blind, 11th and Davis Sts., Portland. J. F. Meyers, Supt. This is an industrial institution and is maintained by the City of Portland.

There is a State Committee for the Conservation of Vision and Prevention of Blindness, appointed by the State Medical Society.

There is no commission for the blind.

The State pays no pension to the blind.

Libraries for the Blind: Portland, 160 volumes; Salem, 600 volumes.

PENNSYLVANIA.

Pennsylvania Association for the Blind, Liberty and Second Ave., Pittsburgh. W. Stamm, Sec. Teaches industries to blind women and sells their products. Supported by the State, by endowment, donations and the City of Pittsburgh.

Institution for the Instruction of the Blind, Overbrook, Philadelphia. O. H. Burritt, Supt. Supported by endowment, tuition fees and the State.

Western Pennsylvia Institution for the Blind, Pittsburgh. J. S. McAloney, Supt. Supported by endowment and the State.

Salesroom and Exchange for the Blind, 204 S. 13th St., Philadelphia. L. Delfino, Supt.

State Aid for Blind Infants. By an act of Legislature passed in 1913, the State Board of Education may order the payment of \$1.00 a day to care for and educate blind children under eight years of age.

Pennsylvania Working Home for Blind Men, 3518 Lancaster Ave. W., Philadelphia. Supported by the State and the city. This is a home and workshop for adult blind men. F. H. Mills, Supt.

Pennsylvania Industrial Home for Blind Women, 3827 Powelton Ave. W., Philadelphia. This is a home and workshop for adult blind women. Miss A. V. Harry, Supt.

Pennsylvania Home Teaching Society and Free Circulating Library for the Blind, Witherspoon Bldg., Philadelphia. Mrs. I. W. Kennedy, Sec. Supported by the State, endowments and donations.

Blind Relief Fund of Philadelphia, Witherspoon Bldg. Its purpose is to furnish outings and help to the blind. Supported by voluntary contributions.

Chapin Memorial Home for the Aged Blind, 6713 Woodlawn Ave., Philadelphia. Supported by endowment and donations. An admission fee of from \$300 to \$500 is charged. Mrs. A. B. Reibold, Matron.

Pittsburgh Workshop for the Blind, Liberty St. and Second Ave., Pittsburgh. W. H. Long, Supt. Supported by the City of Pittsburgh and private donations.

Blind Women's Progressive Club. Miss E. Johnson, Pres. Supported by membership fees and contributions.

Society for the Promotion of Church Work among the Blind, 533 Arch St., Philadelphia. W. A. Warner, Treasurer.

Commission on the Conservation of Vision. Dr. W. W. Blair, Chairman. Under the auspices of the State Medical Society.

There is no commission for the blind.

Libraries for the Blind: Philadelphia Free Library, 5,570 volumes; Philadelphia Overbrook, 19,950 volumes; Pittsburgh Carnegie Library, 2,630 volumes; Pittsburgh School for the Blind, 1,000 volumes.

RHODE ISLAND.

Home Teaching for the Adult Blind. Supported by the State.

State Aid for Blind Infants and Youths. The State pays \$1.00 a day for the care and education of poor blind infants and children under school age. When children are old enough to attend a blind school in a neighboring State, the State will pay the necessary expenses.

There is no commission for the blind.

SOUTH CAROLINA.

South Carolina Institution for the Education of the Deaf, Dumb and Blind, Cedar Springs. N. F. Walker, Supt. Supported by the State.

There is no commission for the blind.

Library for the Blind, Cedar Springs, 1,000 volumes.

SOUTH DAKOTA.

State School for the Blind, Gary. Lelia M. Curl, Supt. Under State Board of Charities and Correction. This school has seven instructors and 27 pupils. Supported by the State.

State Aid for Blind Infants. The State will pay \$1.00 a day for blind and poor children under school age. The State will also pay the necessary expenses to send children to blind schools outside of the State.

There is no commission or society for the blind.

Library for the Blind, Gary, 1,320 volumes.

TENNESSEE.

School for the Blind, Nashville. J. V. Armstrong, Supt. Supported by the State.

Home for Blind Women, Nashville. Supported by the State and private donations.

Committee for the Blind. Mrs. J. P. Frank, Chairman (Nashville). This acts in conjunction with the National Committee for the Prevention of Blindness. A bill has been passed for the prevention of blindness.

A State Commission is appointed by the Governor.

Tennessee Commission for the Blind. President, Mrs. J. P. Frank, Montrose Ave., Nashville. Secretary, Mrs. B. Fensterwald, Nashville Library for the Blind, Nashville, 6,000 volumes.

TEXAS.

State Institution for the Blind, Austin. E. E. Bromlett, Supt. Supported by the State.

Institution for the Deaf, Dumb and Blind Colored Youth, Austin. J. H. Stewart, Supt.

There is no commission for the blind.

Library for the Blind, Austin, 7,500 volumes.

UTAH.

University of Utah (Department for the Blind), Ogden. F. M. Driggs, Supt. Supported by the State.

A commission for the blind was created in 1909 and was later abandoned.

Libraries for the Blind: Ogden, 5,050 volumes; Salt Lake City, 190 volumes.

VERMONT.

Austine Institution, Brattleboro. Dr. H. D. Holton, Pres.; Miss H. G. Throckmorton, Principal. This is an institution for blind and deaf children. Partly supported by the State.

Vermont Association for the Blind. President, Mrs. G. W. Wales, Burlington. Supported by voluntary contributions.

Vermont Association for the Blind (Chittenden Co. Branch). Miss M. S. Smith, Treas., 189 N. Winooski Ave., Burlington.

There is no commission for the blind.

Blind and deaf children are educated at the expense of the State in an institution for that purpose.

VIRGINIA.

State Institution for the Deaf, Dumb and Blind, Staunton. W. A. Bowles, Supt. Educates poor girls and boys. Supported by the State.

School for Colored Deaf and Blind Children, Newport News. W. C. Ritter, Supt. Supported by the State.

A Committee on the Conservation of Vision was recently appointed by the State Medical Society.

There is no commission for the blind.

Library for the Blind, Staunton, 1,000 volumes.

WASHINGTON.

Mothers' Congress and Parent-Teachers' Association. Mrs. C. E. Brook, Pres. (Tacoma).

State School for the Adult Blind, Seattle.

School for the Blind, Vancouver. Mrs. W. B. Hall, Supt. Supported by the State.

Seattle Association for the Blind, Seattle. M. Callaghan, Sec.

There is a Committee for the Prevention of Blindness.

There is no commission for the blind.

Libraries for the Blind: Seattle, 630 volumes; Spokane, 60 volumes; Vancouver, 750 volumes.

WEST VIRGINIA.

West Virginia School for the Deaf and Blind, Romney. R. C. Montague, Supt. Under State Board of Control. Supported by the State. This school admits people of the ages from eight to twenty-five years.

There is no commission for the blind.

Library for the Blind, Romney, 1,500 volumes.

WISCONSIN.

Association for the Blind, 10th and Prairie Sts., Milwaukee. Dr. E. T. Lobadau, Pres.; Carrie Levy, Sec. This is an independent institution.

State Institution for the Blind. J. T. Hooper, Supt. (Janesville). Supported by the State.

Institution for Blind Artisans, 13th and Fond du Lac Ave., Milwaukee. O. Kusterman, Supt. Supported by the State.

Workshop for the Blind, Milwaukee. O. Kusterman, Supt. Partly supported by the State.

There are day schools for the blind under A. B. Cook, Department of Public Instruction, Madison.

The blind and seeing are educated together in some of the public schools of Milwaukee and Racine. Teachers in charge, Miss C. B. Levy (Milwaukee), Miss C. M. Light (Racine).

A State law was passed in 1907, providing county aid to the needy blind, of \$100 a year, given at the option of the county. It is given to males over 21 years of age and to females over 18 years of age, who are not inmates of any institution and whose income is less than \$250 a year.

There is no commission for the blind.

Libraries for the Blind: Janesville, 6,300 volumes; Milwaukee, 350 volumes.

WYOMING.

There is no commission for the blind.

There are no laws concerning the blind.

The blind youth is educated by the State in schools for the blind in other states.

I will now endeavor to give as faithfully as possible the different State laws concerning blindness and the blind. These laws are given in their entirety, as this is necessary, considering the character of this series of papers. They are papers of reference. Some laws I have been unable to obtain, verbatim, under which circumstances I have been compelled to be satisfied with United States census reports.

ALABAMA.

Article 27.

Alabama Academy for the Blind.

1943 (3712). Educational institution for the blind established. There is established in this State and located at Talladega, an institu-

tion for the education of the blind, called the Alabama School for the Blind.

(This article based upon act of Feb. 19, 1887, p. 56, and Feb. 7, 1891, p. 458.)

1944 (3713). *Control and Management*—Such institution is under the control and management of the board of trustees of the Alabama School for the Deaf, who may prescribe rules and regulations for the conduct of the same. The principal for the Alabama School for the Deaf is the chief executive officer.

1945 (3714). *Object of School; Application and Admission; Term of Pupilate*—The object of such school shall be to afford means of education to the blind of the State. All blind children of the State between the ages of seven and twenty-one who are of sound mind, free from disease, and of good moral character may be admitted to the benefits of this school. All applicants must make satisfactory proof to the board of trustees that they are citizens of the State, and that applicant in person, or by next friend, or by affidavit, of any person cognizant of the facts, before a probate judge or notary public. The length of the time which any pupil may continue in school shall not exceed ten years; provided the board of trustees may increase the term of any pupil from year to year, upon the recommendation of the principal, to not exceeding four additional years. And no pupil shall be retained in school after having passed the age of twenty-five. No pupil shall be retained in school after it has been ascertained that such pupil has ceased to make progress or is not being benefited. Any pupil may be dropped at any time for cause by the board of trustees.

1946 (3716). *Appropriations for Each Pupil*—For the maintenance and support of the Alabama School for the Blind the sum of two hundred and thirty dollars per pupil is hereby annually appropriated, such appropriation to be based upon the number of pupils enrolled on the first day of January of each year, and to be drawn quarterly in advance by the treasurer of the board, and disbursed as directed by them.

1947 (3717). *Officers and Teachers*—All officers and teachers of such institution must be appointed, and the salaries fixed and paid in like manner as the teachers and officers of the Alabama School for the Deaf are appointed and their salaries fixed and paid.

1948 (3719). *Laws Relating to the Alabama School for the Deaf Applicable*—All laws now in force or hereafter enacted relating to the admission of pupils and the management and control of the Alabama School for the Deaf, are applicable to the Alabama School for the Blind, except so far as such laws may be inconsistent with the provisions of this article.

ALABAMA.

1915.

(Abstract taken from the last United States Census.)

The Industrial School for White Blind Men was established by a law enacted in 1915. The location of this institution was to be decided by the board of trustees, who were, however, required in deciding the location to have in view facilities for carrying out the object of the school. The board of trustees consists of seven members appointed by the Governor for terms of seven years, of whom two may

be women and not less than two must reside at the place where the school is located, and who serve without any compensation other than actual expenses. The object of the school is to afford a means of industrial education for the adult white blind men of the State. All white blind men of the State over the age of 21 years who are of sound mind, free from disease and of good character may be admitted to the benefits of the school. All applicants must make satisfactory proof to the board of trustees that they are citizens of the State and that they are proper candidates for admission; such proof may be made by the applicant in person or by affidavit or any person cognizant of the facts, before the probate judge or a notary public. The length of time which any pupil may continue in the school must not exceed five years, but no pupil may be retained in the school after it has been ascertained that he has ceased to make progress or is not being benefited. Any pupil may be dropped by the board for cause. The school must teach embossed reading and various trades and, as soon as practicable, furnish work in shops for blind men who have learned trades. For the maintenance of the school \$100 per pupil is appropriated annually, but the sum may not exceed \$10,000 a year. An initial appropriation of \$10,000 was made, to become available February 1, 1917, for the site and erection and furnishing of the necessary buildings for the school.

ARIZONA.

In the House of Representatives, May 25, 1912.

To provide for the care, maintenance and instruction of blind babies and children.

Be it enacted by the Legislature of the State of Arizona:

Section 1. The state board of education shall have power to provide for the suitable care, maintenance and instruction of babies and children under school age residing in this state who may be born blind or become blind in any case where by reason of lack of means or other cause the parent or parents of such children may be unable to properly care for, maintain and educate such children.

2. For the purpose of providing such care, maintenance and education the said board of education shall have power to contract with any institution having or furnishing facilities for such care, maintenance and education in this or any other state at a contract price to be agreed upon, not exceeding one dollar (\$1) per day; provided that such contract shall be made by and with the consent of the parents or the surviving parent of any such child.

3. Such contract shall continue in force and the care, maintenance and education provided therein shall continue until such child attains the age of six years; provided, however, that said board of education may in its discretion continue such contract in force until such child attains the age of twelve years.

4. There shall be included in the tax to be levied for state school purposes a rate sufficient to raise the sum of twenty-five hundred dollars (\$2,500) in addition to all other sums provided by law, which sum or so much thereof as may be necessary is hereby appropriated for the purpose of carrying out the provisions of this act.

5. Nothing in this act contained shall be deemed to repeal or in any way modify any existing law with reference to the education of the deaf, dumb and blind.

ARIZONA.

1913.

(Abstract taken from the last United States Census.)

Education of the Blind.

The State Board of Education must contract with a state having a school for the blind for the education of the blind of the state upon the most economical terms possible, and at a rate not exceeding \$350 a year for each scholar's instruction and board, including board during vacation. Upon receipt of a certificate by the Board of Education to the effect that the applicant is blind, of sound mind, and of parents who are unable to provide for his education, he may receive the benefits thus provided.

Whenever application is made to the board of regents of the State University for the accommodation and education, at the university, of deaf, dumb and blind residents of the State or of persons afflicted with either deafness, dumbness or blindness, it is the duty of the board to make suitable provision for the accommodation and education of the applicants according to the most improved modern systems for such purposes. This requirement, however, is not operative unless at least five residents of the state affected with either deafness, dumbness or blindness make application.

The school census marshal of each school district must include annually in his report the number and names of the blind persons of school age in his district. The report is sent to the county school superintendent, who forwards a copy of it to the State Board of Education for the purpose of ascertaining who may be qualified for the benefits of education for the blind.

ARKANSAS.

Section 4769. The institution of learning heretofore known as the "Arkansas Institute for the Education of the Blind," shall hereafter be entitled "The Arkansas School for the Blind," and all laws and parts of laws in relation to the "Arkansas Institute for the Blind" shall apply to the "Arkansas School for the Blind." Likewise, all contracts made with or by said institute, and all legacies, bequests or gifts made to it shall be binding upon and belong to the "Arkansas School for the Blind."

Section 4770. The management and control of said school shall be under the board of control, appointed, organized and empowered as provided by sections 4667 to 4674.

Section 4667. The management and control of the State School for the Blind, the Deaf Mute Institute, State Hospital for Nervous Diseases and the Confederate Soldiers' Home, shall be under a Board of Control, to consist of three members, who shall be appointed by the Governor, with the approval of the Senate, and shall hold office for a term of six years and until their successors are duly appointed and qualified; provided, that of the board first appointed, one member shall hold for two years, one for four years, and the other for six years. In

case of vacancy occurring upon the board, the Governor shall have authority to fill it by appointing a member to serve for the unexpired term. The members of the board shall reside at the State capital, and shall devote their entire time to the discharge of their duties as such members.

Section 4668. The Governor shall have power to remove any member of the board for inattention, neglect, misconduct or inefficiency in the discharge of the duties of the office; and in case of such removal he shall state definitely and distinctly the ground thereof.

Section 4669. Every person appointed to membership on the Board of Control, shall, before entering upon the discharge of his duties, take the oath prescribed by the Constitution of the State; and in addition shall swear that he will not be interested, directly or indirectly, in any purchase or sale made by the board, or in any contract made with it, that he will not receive, directly or indirectly, any reward or compensation, or any gratuity or thing of value, from any one, whatever, beyond the compensation allowed by law during the term for which he is appointed. Any act in violation of such oath shall render the person offending liable to prosecution for perjury and to removal from the board.

Section 4670. No one shall receive any office or employment under the Board of Control who is of kin, by blood or marriage, within the fourth degree, to any member of it.

Section 4671. The Board of Control shall have full authority to adopt rules and regulations for the conduct of its business, and of the affairs of the institution under its control, as it may deem proper, it may meet at such times and places for the conduct of its business as may seem fit, but must meet at least once each month.

Section 4672. The Board of Control may appoint a Secretary not a member of the Board. He must be a competent and efficient book-keeper, and keep a correct record of all its proceedings, and an account of all its transactions and of all money used in the maintenance of the different institutions. He shall give bond to the State in the sum of ten thousand dollars for the faithful performance of his duties. When directed by the Board, he shall advertise for bids for furnishing supplies to the board for use of the above several institutions, the advertisement to be published in a newspaper published and having general circulation in the city of Little Rock on dates as nearly uniform as is practicable, about the last of each month, calling for bids for supplies to be furnished during the ensuing month (1). Upon receipt of bids, they shall be carefully examined and scrutinized by the board, which shall award the contract to the best bidder, having strict regard to quality and prices; and the board may accept so much of any bid as it finds to be the best, and reject the remainder of it. The board shall provide for a complete and accurate inspection of articles furnished on contracts so let, and reject everything that does not come up to the term of the agreement. The board may at any time remove the Secretary, or the Superintendent, or steward of any of its institutions for inattention, neglect, misconduct or inefficiency in the discharge of his duties, or for adequate cause, but in case of such removal it shall state specifically and distinctly the ground therefor.

Section 4673. At any time that he deems it proper, the Governor may appoint a suitable person to examine into the affairs of any or all the State Charitable Institutions. Such person, while in the discharge of his duties, shall be invested with the power of a notary public to issue subpoenas, administer oaths and take depositions when so instructed by the Governor. Upon completing his examination he shall make a full report to the Governor, and attach to it all testimony taken by him. He shall be paid all expenses actually incurred by him, and the sum of five dollars per day for the time actually employed.

Section 4674. In case of the destruction of any of the Charitable Institutions by tornado or by fire, the Board of Control is hereby authorized, upon the approval of the Governor, to borrow money at a reasonable rate of interest, to immediately replace the damage done to the buildings. The board is hereby authorized to collect insurance in case of property being destroyed by tornado or fire and use the same toward erecting new buildings, under proper restrictions and supplement any money borrowed as herein provided.

Section 4771. All property which has been or may hereafter be acquired by appropriation from the state, or in any other manner, for the use and benefit of the institution, shall be held and deemed to be the property of the state for such use and purposes, and all real estate hereafter purchased shall be deeded to the state, and the deed therefor duly recorded and filed in the office of the Secretary of State.

Section 4772. The board may take and hold in trust for the use of the institution any lands conveyed or devised, and any money or other personal property given or bequeathed, to be applied to the benefit of the institution.

Section 4773. Such board shall make all regulations necessary for the government of the institution not otherwise provided by law, and incorporate the same in the next report they make thereafter to the general assembly. They shall have power to elect a superintendent (16), physician, matron, teachers and steward, to receive an annual compensation to be fixed by the Board of Control, the amount thereof to be reported to the general assembly (16).

Section 4774. The superintendent, steward and teachers of said institution shall not be eligible to the office of member of Board of Control for the same; nor shall any member of the Board of Control be allowed to furnish material for building purposes; nor shall they be, either directly or indirectly, personally interested in the purchase of any article of merchandise or other supplies for the use of such institution.

Section 4775. It shall be unlawful for any person to be employed in any capacity in this institution who is related by consanguinity or affinity within the fourth degree to the superintendent, to any State officer, or any member of a permanent state board, or to any member of a state commission, or to the purchasing agent of any board, and if the treasurer of the state shall knowingly pay any person employed in violation of this act he shall be responsible for the amount on his official bond.

Section 4776. The salary of any person connected with this institution shall not be increased during the period for which he was elected

or employed. When any increase of salary is granted by the board the same shall take effect and be in force at the beginning of the next school term after the said increase is granted.

Section 4777. No teacher shall be employed in the literary department of said institution except teachers who hold first grade county teachers' license, or professional license or state license.

Section 4778. The Board of Control, together with the superintendent, shall elect all teachers, officers and employees and shall discharge the same for failure to faithfully perform their duties and for any conduct unbecoming one holding their positions.

Section 4779. The teachers, officers and employees shall perform such other duties as the superintendent may direct, and when their services are not needed they shall be discharged; provided, if unjustly discharged they shall be entitled to a fair and impartial hearing before the board of control. The board shall have power and authority (in their discretion) to let meat contracts for six months, if by so doing they can obtain a better quality of meat but upon the written complaint of the superintendent, in case of bad meat any contract shall be revoked by the executive committee of the board.

Section 4780. The financial fiscal year for this institution shall end on December 31st of each and every year in so far as the board are concerned.

Section 4781. The Board of Control shall have power and is hereby authorized, in their discretion, to make contracts for the purchase of fuel for twelve months; provided, this period shall not extend beyond the tenure of office of the board.

Section 4782. The secretary of Board of Control shall keep a full and complete record of all contracts made and entered into for all articles bought for the institution and all bids accepted and rejected. Such records shall show all contracts in full, price paid for all items and quantity of each item and from whom purchased. He shall keep a copy and record of all building contracts of whatsoever nature and kind. The board of control and superintendent shall make a full and complete report, to be submitted to the Governor, and each General Assembly, not later than January 15th of each year the General Assembly is in session. The report of the board shall cover the preceding school year. These reports shall deal with improvements made during the biennial period covering the institution for the next legislative period. These reports shall be made and printed together, not later than January 15th of each year the General Assembly is in session.

Section 4783. The Board of Control are invested with the general control and direction of the property and affairs of the institution, with power to direct such purchases as, under the advice of the superintendent, may be deemed necessary for the comfort, health and educational advancement of the blind.

Section 4784. The superintendent may employ such operatives as are necessary for the proper management of the institution, repairs of buildings, cultivation of adjacent grounds belonging thereto, and shall report the same to the trustees at their next meeting thereafter, when, if they refuse to ratify such proceedings, the superintendent shall discharge said employes, and discontinue such repairs and cultivation,

unless otherwise directed by the Board of Control; and no expenditures for building purposes shall be made for the benefit of the institution unless the same shall be recommended by the Board of Control.

Section 4785. The superintendent shall report to the board of control, prior to each session of the General Assembly, a detailed statement of the number of pupils admitted and discharged, their place of residence and supposed cause of blindness, the amount of money expended and for what purpose, and the probable sum necessary to defray the current expenses of the institution until the ensuing session of the General Assembly, which report shall be embodied in that of the Board of Control.

Section 4786. The steward, before entering upon the duties of his office, shall give bond to the state in penalty and with surety, to be approved by the trustees, conditioned for the faithful performance of his official duties, such bond to be filed in the office of the auditor of state.

Section 4787. The steward shall discharge his various duties under the direction of the superintendent, who shall examine all statements prepared by the steward, whether for past or contemplated expenditures, and the Board of Control shall receive no statement of the same from the steward, unless the approval of the superintendent is endorsed thereon.

Section 4788. The Board of Control shall keep a book, in which they shall record all allowances, and make an entry of the proceedings had thereon, and the steward shall report to such Board of Control a detailed statement, under oath, of all the expenditures he may have made for the preceding three months, to whom made, and for what purpose, and such report shall be accompanied with proper vouchers.

Section 4789. Board of Control and superintendent are authorized to present to each pupil who shall have finished the course in the institution, and who shall be honorably discharged from the same, having learned to read by touch, a copy of the sacred scriptures and a copy of the Constitution of the United States in raised print.

Section 4790. The superintendent shall give bond to the state, in penalty and with surety, to be approved by the Board of Control, for the faithful performance of his official duties, which bond shall be filed in the office of the auditor of state; and if, from any cause, the penalty or surety of such bond become insufficient, the Board of Control shall require such superintendent to execute an additional bond, or give other sufficient security, and in default thereof such superintendent shall be removed from office by the board of trustees.

Section 4791. The Board of Control shall keep a full and correct account of their proceedings in books to be provided for such purpose.

Section 4792. The officers of the institute shall make report to the board as it may from time to time require.

Section 4793. The Board of Control and superintendent shall each make detailed reports biennially to the General Assembly of their proceedings, the condition of the institute, the number of pupils and other facts connected with the institution, including the exact receipts and expenditures of the board.

Section 4794. All blind persons of suitable character and capacity

between the ages of six and twenty-six years, residing in the state, shall be entitled to the benefits of the institution free of charge. Pupils from without the state may be admitted to the privileges of the institution on payment of such sum as the board may consider sufficient to defray expenses.

Section 4795. If, in the opinion of the Board of Control, any blind person above the age of twenty-six may be benefitted by being received into the institution for a limited time, to learn a trade, or receive other instruction, they may, by unanimous vote, and approval of the superintendent, admit such person, and they may expel from the institution any pupil whose longer continuance in the same would be injurious thereto.

Section 4796. There shall be, of each biennial report of the Board of Control to the General Assembly fifteen hundred copies printed—one thousand for the use of the General Assembly, and five hundred for the institution.

Indigent Pupils.

Section 4797. Whenever application is made for the admission of any blind person into the said school (17) as a beneficiary of the privileges thereof, such application shall be accompanied by certificate of the county judge that such person is a legal resident of the county in which it is claimed that he or she resides.

Section 4798. When such person shall, upon proper application, be admitted as pupils of said school, it shall be the duty of their parents, guardians or other friends to suitably provide them with clothing at the time of their entrance into the school and during their continuance therein; also to defray their traveling expenses to and from the institution, not only at the time of the first entrance and final departure, but at any other time when it shall become necessary for them to leave or return to school.

Section 4799. In all cases when suitable clothing and means for defraying traveling expenses are not otherwise supplied to the pupils of said institution, the same shall be provided by the superintendent or principal thereof, who shall make out and file with the auditor of state, accounts therefor, separate in each case, against the respective counties from which such pupils are sent, in an amount not exceeding forty dollars per annum for any one pupil, which accounts shall be severally signed by the superintendent or principal; and the auditor of state shall draw his warrant on the treasurer for the said amounts, which shall be paid out of any money in the treasury not otherwise appropriated. Provided, the amount drawn by said institution for said purposes, in one year, shall not exceed two thousand dollars; and each account thus certified shall be charged to the county from which the pupil named therein was sent.

Section 4800. The auditor of state shall forward a certified copy of each account so filed with him to the sheriff of the proper county, who shall proceed to collect the same in the name of the state as other debts are collected, and the money so collected shall be paid over to the treasurer of state, who shall give receipts therefor, as in cases of other moneys paid into the state treasury; provided, if the sheriff shall be unable to collect the amount of any bill from the parents or estate

of any pupil, then the same shall be refunded to the state out of the county treasury.

Section 4801. The funds arising from the sale of articles made at the school by student labor shall be used as a contingent fund by the superintendent, under the direction of the Board of Control, for the purpose of paying for postage, freight, expressage, telegraph and telephone calls, emergency medicines and such other purposes as the Board of Control may direct, and the superintendent shall submit an itemized statement of receipts and expenditures from this fund to the board at its monthly meetings.

Section 4802. In case of the death of any pupil at said school, where funeral expenses are not otherwise provided for, an account thereof shall be made out, certified to and collected, and applied in like manner as provided in the preceding sections of this act.

Section 4803. Whenever it shall be deemed necessary by the proper officers of said institution, in accordance with the bylaws and regulations thereof, to have pupils removed, either temporarily, on account of ill health, or the vacation of the school, or permanently, on account of having completed their course of instruction, or been found disqualified, from any cause, for a longer continuance in the school, the parents or guardians of such pupils, if they have any, shall promptly remove them upon requirement of said officers; and, in case they shall not thus be provided for, it shall be the duty of the superintendent or principal of such institution to cause them to be so removed to their houses or delivered to the proper officers of the counties in which they may reside, and the expense of such removal shall be refunded to said institution in the same manner as provided in sections 4799 and 4860, and the county sheriff may collect it in the same manner as provided in sections 4799 and 4800.

Buildings, Use of Forbidden, Except for Certain Purposes.

Section 4804. No person, teacher, party, servant or employe shall be boarded, lodged or in any manner whatever provided for during the vacation of said school, neither shall any party or person at any time be lodged, boarded or permitted to remain at said school at the expense of the state not herein specifically designated and provided for: Provided, this section shall not apply to those employees and pupils who have no homes, required to remain at said school during vacation as herein provided for.

Collections of Warrants for Indigent Students (18).

Section 4805. It shall be the duty of the sheriffs of this state to receive from the county clerks all warrants ordered by their respective county courts by virtue of section 4800 and present them to the county treasurer for payment.

Section 4806. The county treasurer of the proper county shall pay said warrants on presentation from any money on hand and appropriated for pauper purposes; but should there be no money in his hands from which to pay off said warrants, he shall indorse the fact on the warrants, date and sign the said endorsement and return them to the sheriff.

Section 4807. The treasurer of the state is authorized to receive

from the several sheriffs and collectors of the state any and all such warrants as may hereafter be ordered and issued in payment for clothing and expenses; provided, said warrants shall be drawn in favor of the state, shall state on their face the name of the pupil or inmate whose expenses are thereby refunded, and shall be indorsed as required by section 4806.

Section 4808. The state treasurer is authorized to apply such county warrants so received in payment of auditors' warrants drawn in favor of the counties for funds received from sales or redemption of lands in lieu of any currency in his hands from said source belonging to the respective counties whose warrants he holds, replacing the county warrants with the currency.

Section 4809. The state debt board may in October, 1894, and biennially thereafter, make such disposition of the county warrants so received and not converted into par funds, as provided in section 4808, as shall in the judgment of the board be for the best interest of the state and shall order the proper adjustment of the account of said county warrants on the books of the state treasurer and auditor.

Section 8492. It shall be lawful for any indigent or disabled ex-Confederate or ex-United States soldier or sailor and all blind persons having certificate of attendance at blind school, residing in this state, to engage in what is commonly known as hawking and peddling, to give illustrated lectures and magic lantern exhibitions and such other like entertainments, and further, he shall be permitted to engage in brokerage or real estate, or any other business that is not prohibited in this state, without either paying state, county, city or town license or tax for the privilege of so doing; provided, that the provisions of this act shall not apply to any ex-Confederate or ex-United States soldier or sailor drawing a pension exceeding eight dollars per month, etc.

CALIFORNIA.

Senate Bill No. 472—Chapter 681.

An Act to Provide Readers for Blind Students in the University of California and to Assist Deaf Students Attending the National College for the Deaf at Washington, D. C., and Making an Appropriation Therefor.

(Approved June 9, 1915.)

The People of the State of California do enact as follows:

Section 1. The sum of three thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to be expended under the supervision of the board of directors of the California School for the Deaf and the Blind, during the biennial period ending June 30, 1917, in providing readers for blind persons who shall be residents of the state of California and graduates of the California School for the Deaf and the Blind, and who shall regularly matriculate in, and work for a degree in the University of California; and in defraying the expenses of deaf persons who shall be citizens of the state of California, and graduates of the California School for the Deaf and the Blind, taking a collegiate course of instruction in the National College for the Deaf at Washington, D. C.: Provided, however, *that not more than three hun-*

dred dollars shall be expended for any one student during any one school year.

CALIFORNIA.

1915.

An Act Establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, Creating a Board of Directors for the Government Thereof, and Appropriating the Sum of Sixty-five Thousand Dollars for the Support of said Home.

(Approved March 17, 1887; Stats. 1887, p. 160.)

The people of the State of California, represented in Senate and Assembly, do enact as follows:

Article I.

Section 1. The sum of sixty-five thousand dollars is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to be placed by the State Controller to the credit of the fund hereafter to be known and designated as "The Fund of the Industrial Home of the Adult Blind," and to be expended for the objects and in the manner hereinafter specified.

Sec. 2. The said appropriation is for the purpose of teaching and supporting the adult blind that may be admitted to the Home, and for providing the material for the workshops, the cost of additional machinery for the same, the payment of all persons employed at the Home, and for all legitimate expense of maintaining the institution hereinbefore named.

Sec. 3. All moneys drawn from this fund shall be drawn only when bills have been ordered paid by the Board of Directors of the Home and approved in writing by the State Board of Examiners; and when so approved the State Controller must issue his warrant in payment thereof, and the State Treasurer must pay the same.

Sec. 4. The Governor of the state shall appoint five citizens of the state, who shall organize as and constitute the Board of Directors for the Home for Adult Blind.

Sec. 5. The Home shall be located at such a place as the Board of Directors may designate.

Article II.

Section 1. The objects of the Industrial Home are: First, to instruct the adult blind that may be admitted as inmates in some trade or trades, in order to enable them to contribute to their own support; and, second, to furnish a working home for the adult blind, who, after having learned a trade or trades, desire to remain at the home as workmen; provided, that all of the latter class who remain shall pay to the state, through the Board of Directors, the cost of their maintenance at the home. The rate of wages to be paid to these journeymen, as well as the amount which they must pay for their maintenance, shall be fixed by the board.

Sec. 2. Every blind person who has been a resident of this state for a period of three years prior to his application for admission, of suitable age, character and qualifications (as hereinafter provided), shall be entitled to the benefits of instruction in said home, free of charge; provided that the Board of Directors may admit blind persons from other states; but the admission of such blind persons shall be made

under such conditions only as shall not entail cost on this state; and provided, further, that the admission of persons not residents of this state shall in no case be allowed, if such admission would exclude a qualified blind resident of this state.

Sec. 3. The salaries of the superintendent, secretary and physician, and all other expense accounts, including the wages of workmen at trades, and employees, must be paid monthly out of the moneys appropriated by the Legislature for the support of the home, or from accumulations from the industries of the home, or from the donations and bequests to the home, made without restraining conditions, whenever resort to said donations or bequests be necessary. All such claims in said expense account, excepting salaries of said officers, shall be first approved by the board of directors, and shall be so indorsed by the secretary and attested by the president, and shall immediately thereafter be sent forward to the secretary of the State Board of Examiners. When the claims have been approved by the said Board of Examiners, the Controller must issue his warrant therefor, directed to the State Treasurer, in favor of the Board of Directors. The State Treasurer is authorized to pay such warrant only when indorsed by the secretary and attested by the president of the board. No claim for wages of employees or workmen at trades shall be audited by the Board of Directors until having first received from the foreman his monthly time certificate, duly verified by his oath, and stating the amount of labor performed by the employee or workman. (As amended, Stats. 1889, p. 147.)

Sec. 4. The official bonds hereinafter required must be approved by the Board of Directors, and filed and recorded in the office of the Secretary of State. The approval of the bond must be by indorsement thereon by the president, and reference thereon made by the secretary to said action of the board.

Article III.

Section 1. The powers and duties of the Board of Directors shall be as follows:

First—To make bylaws, not inconsistent with the provisions of this act and the laws of the state, for their own government and direction of the home, and to admit suitable persons as inmates thereof. And in the admission of inmates the Board of Directors shall have regard to an equitable representation from each county in the state.

Second—To designate the trades that shall be regularly taught in the said institution.

Sec. 2. First—To elect a general superintendent and all subordinate officers and employees, and to determine the number of subordinate officers and employees when not otherwise fixed in this act.

Second—To elect a physician, who shall not be a member of the Board of Directors, and whose salary shall not exceed twelve hundred dollars per annum. (As amended, Stats. 1889, p. 147.)

Third—To elect a secretary, whose salary shall not exceed six hundred dollars per annum, and who shall be required to give a bond in the sum of five thousand dollars.

Sec. 3. To prescribe in particular the duties of the superintendent, physician and secretary.

Sec. 3. To make inquiry into the department of labor and expense, the condition of the home and its prosperity, and to employ all reasonable means to make the same self-supporting.

Sec. 5. To hold stated meetings at the home at least once in every month.

Sec. 6. To keep at the home a record of their proceedings, which shall be accessible to the public during the hours from 9 a. m. to 4 p. m., excepting on legal holidays.

Sec. 7. To report annually in the month of December to the Governor, a statement of receipts and expenditures, the condition of the home, the number of inmates and the number of beneficiaries doing work at their own residences, and such other matters touching the management of the home as they may deem proper. The annual report must be verified by the oath of the president of the Board of Directors. The Superintendent of State Printing is hereby authorized to print annually two thousand copies of said report, which copies the board must circulate in the manner appearing to them to be in the best interests of the home.

Sec. 8. The Board of Directors is empowered to purchase, from time to time, such material as may be suitable to the requirements of the manufacturing and other departments of the home, and to audit the bills therefor, and to forward the same to the State Board of Examiners. When approved by said state board, the Controller must issue his warrants in payment therefor. All purchases shall be made as provided in section twenty of this article.

Sec. 9. The Board of Directors is empowered and authorized to fix the market price of all wares manufactured in the home, and all ware manufactured elsewhere by the non-resident beneficiaries, and to provide for and regulate the sale of all such manufactured wares. The board is hereby authorized to fix the compensation of common laborers and all other employees at the Home, whose wages are not herein established.

Sec. 10. It shall not be a condition for the admission of any applicant that he be of such physical strength as to be able to work every day. And the board is authorized to receive and maintain at the home, free of charge, or at a nominal charge, such aged and enfeebled blind persons as seem to them proper, and not in conflict with the interest of the home.

Sec. 11. The Board of Directors is authorized and empowered to grade and fix the prices of skilled and unskilled labor. The board may fix the amount of work required in the various departments to constitute a day's labor, and in accordance with such regulations may permit inmates to work at piece-work.

Sec. 12. The Board of Directors may authorize work to be let out to blind people, so that such beneficiaries as in their judgment may require it, shall receive it at their residence; and for such piece-work liberal prices shall be paid, so as to equal, as nearly as possible, the compensation of resident laborers. But in no case shall the board incur any indebtedness for labor contracts with beneficiaries, resident or otherwise, except when there is sufficient money on hand to pay the same.

Sec. 13.—The board shall provide dormitories for males and females in separate apartments, and may prescribe conditions, not inconsistent with the provisions of this act for the admission of applicants.

Sec. 14. The directors shall receive no compensation for their services.

Sec. 15. The Board of Directors of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California is hereby authorized and empowered to take, receive, manage and invest all moneys or property hereafter bequeathed or donated to said home, in accordance with the wishes of the testator or donor; or, if no conditions are attached to the bequests or donations, then to invest such moneys or proceeds of property for the best interests of the home; provided, that if any donation or bequest be trammelled with any religious conditions of a sectarian character, or conditioned in any manner antagonistic to the provisions of this act, or in conflict with any necessary rule or regulation of the home, the Board may refuse to accept such donation or bequest, and is hereby authorized to reject the same. Donations or bequests may be received by the State Treasurer, or by the president of the Board of Directors; but no donations or bequests accompanied by any condition shall be received until such donation or bequest shall have been ordered approved and received by the board, and notice thereof given by the secretary to the State Controller. Any bequest or donation received or collected by the president of the board must be immediately paid over by him to the State Treasurer, and at the same time the president must forward to the State Controller a statement thereabout, verified by his oath. All moneys received by the State Treasurer must be placed to the credit of the "Fund of the Industrial Home of Adult Blind." The investment of funds by the board can be made only in the same manner as the approval of claims, subject likewise to the action of the State Board of Examiners thereon.

Sec. 16. It shall be the duty of the president of the board to make careful and diligent inquiry into the general management of the home, and to report the result thereof at each meeting of the board, together with such recommendations as he may wish to make concerning the management of the home.

Sec. 17. Every officer and employee of the home, and any other person acquiring possession, by any means whatever, of moneys belonging to the home, must, at the close of each and every month, deliver the same to the Board of Directors, accompanied by a statement thereabout, verified by his oath, taking the secretary's receipt therefor. The Board of Directors must, at least once in every month, forward to the State Treasurer all moneys in their charge belonging to the home. The secretary of the board must, at the same time, forward to the State Controller a statement thereabout, verified by his oath. All such moneys received by the State Treasurer must be placed to the credit of the "Fund of the Industrial Home of Adult Blind."

Sec. 18. Immediately upon the election or dismissal of any officer, whose salary is fixed by the provisions of this act, the board must cause the secretary to forward to the Controller of State a certified copy of the resolution of said election or dismissal, which the Controller must file in his office.

Sec. 19. The president of the board shall appoint all committees unless otherwise ordered by the board, and he shall be ex-officio a member of each of the standing committees.

Sec. 20. The Board of Directors are authorized and required to contract for provisions, fuel and all other supplies needed for any period of time not exceeding one year; and such contracts shall be limited to bona fide dealers in the several classes of articles contracted for. Such contract shall be given to the lowest responsible bidder, at a public letting thereof, if the price bid is fair and not greater than usual market prices. Each bid shall be accompanied by such security as the board shall require. Notice of the time, place and letting of each contract shall be given for at least two consecutive weeks in a daily paper published in the city of San Francisco, and in one newspaper published in the city or town where the home is located. If all the bids at any letting are deemed by the board unreasonably high, the board may decline to contract, and may again advertise until satisfactory contracts are made; and in the meantime the board may contract with any person whose contract is just and equitable, but no contract thus made shall extend beyond sixty days. No bid shall be accepted when such bid is higher than any other bid, made at the same letting, for the same class or schedule of articles. When two or more bids are equal in amount the board may divide the contract between the bidders.

Sec. 21. The board shall designate the number of employees, prescribe their duties and fix their compensation. All employees shall be appointed by the superintendent, subject to the approval of the board.

Article IV.

The superintendent shall be the chief executive officer of the home, with duties and powers as follows:

First—To superintend the grounds, buildings, workshops, manufacturing departments and property of the home.

Second—To certify to the Board of Directors the number of instructors and employees needed in the manufacturing departments, and to recommend to the board the appointment of suitable persons for these positions.

Third—To dismiss any domestic, servant or person employed at the home—other than an instructor or an employee in the manufacturing department—whenever in his judgment the good of the home demands it.

Fourth—To prescribe and enforce the duties of all instructors, employees, domestics, servants and laborers employed at the home.

Fifth—To admit inmates only upon the certificate of the attending physician, or by order of the board, as hereinafter provided; to control the inmates, and to prescribe and enforce a system of instruction and labor.

Sixth—To suspend any instructor or employee pending a recommendation to the board for his permanent dismissal, and to appoint substitutes during the absence of any or all employees.

Seventh—Pending a recommendation to the board for his final dismissal, to suspend the privileges of and to remove from the premises any inmate whose presence appears to be in conflict with the interests of the home. Should any inmate so suspended or removed be in desti-

tute condition, the superintendent must, upon his demand, furnish him with suitable lodgings and board elsewhere, until the decision of the board is made thereabout. The bill therefor must be presented to the board for payment in the same manner as other claims.

Eighth—To reside at the home.

Ninth—To keep a daily record of his official acts in the manner prescribed by the board, and to present the same to the board at each monthly meeting, verified by his oath, in accordance with the blanks furnished by the board for that purpose, and to make in said monthly reports such recommendations to the board as he may deem proper. The monthly report must contain a statement of all stock, goods and supplies of any nature received at the home during the month.

Tenth—To turn over to the board at the close of each and every month, together with the balance sheet, all moneys derived by him from the sale of manufactured goods, and all revenues derived by him from any source whatsoever in behalf of and for the benefit of the home, and to take the secretary's receipt therefor.

Eleventh—To make up and present to the board, in the month of July of each year, his annual accounts and statement of the affairs of the home, verified by his oath. The annual statement shall be an epitome of the monthly reports, and shall contain the number and names of all inmates, officers and employees and their respective dates of admission, or beginning of employment, and the respective dates of dismissals made during the year. It shall contain a full review of all receipts and expenditures, and an invoice of all goods and stocks and supplies on hand. It shall contain, also, the average weekly cost of board per capita of all persons residing at the home, without considering the labor credits, and the average annual cost of instruction per capita. It shall show clearly the relation of the gross products to the gross cost, and the percentage lacking in order to become self-supporting. For the making up of said statement the superintendent shall have full access to the secretary's and other books of the home, and said statement shall be independent of each and all of the other annual reports.

Twelfth—To make requisitions on the Board of Directors for articles and goods needed at the home, and to order the same as directed by the board; provided, that the board may, by resolution spread upon its minutes, authorize the superintendent, in case of emergency, to make purchase of material and supplies for the home without such previous requisition.

He must, in addition, perform such further services as may be required of him by the board. The annual salary of the superintendent shall be twenty-one hundred dollars. He must execute an official bond in the sum of five thousand dollars. The superintendent must be a man of good education, of good moral character, and business experience.

Article V.

It shall be the duty of the physician to examine at his office, at a stated hour daily, and at the home at a stated hour upon the days of his visits, all applicants for admission as to their blindness. If the applicant appears to be a proper subject for admission to the benefits of the home, the physician must forthwith deliver to him his certificate

of admission, directed to the board and to the superintendent of the home. Upon presentation of the certificate the superintendent must admit the applicant as a beneficiary. Any applicant rejected by the attending physician shall have the right of appeal to the board. The physician must present to the board monthly a statement of the sanitary condition of the home, and must therein specify the days and dates of his visits, and the ages and nativity of each person to whom he has issued during the month a certificate of admission, together with the cause or causes of their blindness, their physical condition, and also as to whether any such inmates would be benefited by medical treatment, as well as other matters which the board may deem proper to require of him. The monthly statements must be made upon blanks furnished by the board for that purpose. He must present to the board, in the month of July, his annual report, which shall be an epitome of his monthly reports, and in which he must specify, with particularity, all sickness at the home during the year; and such observations and recommendations may be therein made as seem to him pertinent to the sanitary welfare of the home. The attending physician must, in no instance, permanently treat any inmate for blindness, or any optical affection, without permission in each case first being given by the board, at the request of the person so afflicted. The attending physician must visit the home once every day.

Article VI.

This act shall take effect from and after its passage.

AN ACT

Appropriating Money for the Erection of Buildings at the Industrial Home of Mechanical Trades for the Adult Blind.

(Stats. 1889, p. 89.)

The people of the State of California, represented in Senate and Assembly, do enact as follows

Section 1. The sum of fifteen thousand five hundred dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the erection of buildings at the Industrial Home of Mechanical Trades for the Adult Blind. Not exceeding the sum of ten thousand five hundred dollars of said sum appropriated shall be expended for the purpose of erecting dormitories at said home; not exceeding the sum of two thousand five hundred dollars shall be expended for the purpose of erecting a residence for the superintendent of the said home; and not exceeding the sum of two thousand five hundred dollars shall be expended for the purpose of enlarging the dining room and making additions to the shops now upon the grounds of said home.

Sec. 2. All said moneys shall be expended in accordance with law, under the direction of the trustees of said home.

Sec. 3. The Controller of State is hereby directed to draw his warrant in favor of the trustees of said home for the amount herein appropriated, and the Treasurer is directed to pay the same.

Sec. 4. This act shall take effect from and after its passage.

AN ACT

To appropriate the Money Now in the Treasury of the State of California, Known as the "Adult Blind Fund, Unavailable."

(Stats. 1889, p. 152.)

The people of the State of California, represented in Senate and Assembly, do enact as follows:

Section 1. The money now in the treasury of the state of California, being the proceeds of the industries of the Industrial Home of Mechanical Trades for the Adult Blind, and now amounting to the sum of seventeen thousand nine hundred and fifty-five and fifteen one-hundredths dollars, together with the accumulations for the months of January and February, eighteen hundred and eighty-nine, is hereby appropriated as follows:

The sum of two hundred and five and twenty one-hundredths dollars is hereby appropriated to pay the balance due for the construction of the dormitories at said home.

Sec. 2. The sum of five hundred and thirty-four and five one-hundredths dollars, with interest on said sum at the rate of seven and one-half per cent per annum from May 1st, 1888, to date of passage of this act, is hereby appropriated for the purpose of releasing the mortgage on the property conveyed by Peter Thomson to the Industrial Home of Mechanical Trades for the Adult Blind; together with the sum of one hundred dollars to pay said Peter Thomson for the use and occupation of said property by the home prior to the date of its conveyance.

Sec. 3. All the remainder of said sum of money is hereby directed to be turned into the Fund of the Industrial Home of Mechanical Trades for the Adult Blind, to be used as other moneys belonging to said fund, in accordance with law, under the direction of the Board of Directors, for subsistence, purchase of raw materials and for improving the grounds of said home.

Sec. 4. This act shall take effect from and after its passage.

CALIFORNIA.

(Abstract taken from the last United States Census.)

School for the Blind.

The management and control of the California School for the Deaf and Blind is vested in a Board of Directors, consisting of five persons appointed by the Governor, with the consent of the Senate, for the term of four years, who receive no compensation. The board must meet at least once in three months at the school, and must report to the Governor. (Laws 1915.)

The school is a part of the school system of the state, except that it does not derive any revenue from the public school fund, and has for its object the education of the deaf and blind who by reason of their infirmity cannot be taught in the public schools. (Laws 1913.)

Every blind resident of the state of suitable age and capacity is entitled to an education in the school free of charge. If the parent or guardian of any pupil in the school is unable to clothe such child or pay for its transportation to and from the school, he may testify to such inability before the judge of the superior court of his county of residence, and if the judge is satisfied of the truth of such fact, he must issue a certificate to that effect, and upon presentation of the certificate the directors of the school must clothe the pupil and provide the transportation at the expense of the county from which the pupil comes. All pupils in the school are maintained at the expense of the

state. Blind persons from other states may be admitted to the school upon paying the treasurer \$85 quarterly in advance. (Laws 1915.)

Compulsory Education.

Every parent or guardian of any blind child who is legally entitled to admission in the state school for the blind must send the child to the school for five years, or until the child has reached the age of majority, unless the child is excused from attendance by the board of education or board of trustees of the city, city and county, or school district in which the child resides, for the reason that the child's bodily or mental condition is such as to prevent or render inadvisable attendance at the school or that he is receiving proper instruction at home or at some public or private school. Failure to comply with this requirement constitutes a misdemeanor. (Laws 1903.)

COLORADO.

An Act to Establish a Workshop for the Employment of Blind Men and Women, and Making an Appropriation Therefor.

Be it enacted by the General Assembly of the State of California:

Section 1. That there is hereby established at Denver an "Industrial Workshop for the Blind."

Sec. 2. General supervision and control of the workshop shall be vested in a Board of Control, consisting of three members, to be appointed by the Governor, by and with the advice and consent of the Senate, and the term of the members of said board shall be for a period of two years from the date of their appointment, or until their successors shall be appointed and shall qualify. And whenever a vacancy shall occur on the board through the death or resignation of any member of said board, the Governor may appoint a successor to fill the unexpired term.

Section 3. The board shall select suitable quarters by lease, purchase or otherwise in the City of Denver, and shall have full power to establish, maintain, direct and supervise all matters pertaining to the workshop, its maintenance and regulation, and to purchase all necessary machinery and materials; to teach all trades suitable to blind people. The meetings of the board shall be held at such times and places as they deem proper, but no contracts made by or for the board for the institution shall exceed the appropriation therefor as specified in this act.

Sec. 4. For the purposes of providing for the establishment of a suitable shop and for its maintenance there is hereby appropriated out of the general fund the sum of ten thousand dollars to be used in leasing or purchasing or securing a building or place for the workshop and for the payment of all necessary expense incurred in carrying out the purpose of this act.

Sec. 5. The members of the Board of Control shall constitute a body corporate under the name and style of "The Board of Control of the Colorado Industrial Workshop for the Blind," with the right to acquire and hold property, real, personal and mixed; to sue and be sued; and of making and using a common seal, and of altering the same at pleasure. The board shall organize immediately upon its appointment and elect one of its members as chairman, and one as treasurer.

Sec. 6. A majority of the board shall constitute a quorum for the transaction of business. The board shall be empowered to hire a secretary to keep all books and accounts, and other necessary employees, at a compensation to be fixed by the board.

Sec. 7. The workshop shall be open for the labor of all blind men and women, who shall have been citizens of the state of Colorado, for at least three years and over the age of twenty-one years, who can give satisfactory references as to character.

Sec. 8. No labor shall be for over eight hours continuous duration during any twenty-four hours.

Sec. 9. All the products made in the shop or by the use of its machinery or materials in or out of the shop, shall be the property of the shop and of the state, to be sold and disposed of by said board. And the amounts realized from the sale of the products made at the shop or with its tools and materials, shall be paid to the treasurer, to be applied to the further expense and maintenance of the shop; all surplus funds derived from the amounts received from the shop after the payment of expenses, shall be applied to the enlargement and improvement of the shop.

Sec. 10. The treasurer shall before entering upon his duties give a bond in the penal sum of ten thousand dollars, in some responsible surety company, to be approved by the board, for the faithful discharge of his duties, and to account for all moneys under the direction of the board.

Sec. 11. All vouchers for the purchase of supplies or other indebtedness of the shop shall be signed by the secretary and chairman of the board, and shall be passed upon by the board before any moneys are disbursed.

Sec. 12. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 8th, 1907.

COLORADO.

1911.

An Act Concerning the Education and Teaching of the Adult Blind of Colorado; Creating and Establishing the Office of a "State Teacher of the Adult Blind in the State of California," Prescribing the Duties of said Office and Providing for the Qualifications, Appointment, Term of Service, Salary and Traveling Expenses of Said Officer.

Be it enacted by the General Assembly of the State of Colorado:

Section 1. That the office of State Teacher for the Adult Blind of the State of Colorado is hereby created and established. Said officer shall be either male or female resident of this state, to be selected and appointed by the State Board of Education at its annual meeting, the last Saturday in December each year, and shall hold office for one year from said date or until his successor is duly appointed, except, that within fifteen days after the taking effect of this act said State Board of Education shall duly appoint such officer to hold office until the last Saturday in December, 1911: Provided, That said board in selecting said officer shall make such appointment by the virtue only of the

appointee's peculiar fitness for the position, good moral character, and shall where practicable select non-seeing person as such teacher.

Sec. 2. The duties of said officer shall embrace the education and teaching of all adult blind residents of Colorado at their respective homes, under such regulations, directions and procedure, and in those methods and educational branches as the State Board of Education shall prescribe. It shall be the duty of said officer to prepare, maintain and keep a "Register of the Adult Blind of Colorado," which register shall describe their condition, cause of blindness, capacity for education and industrial training, and other material and relevant facts concerning said persons; and the "Board of Control of the Colorado Industrial Workshops for the Blind" and the superintendent of the "Colorado School for the Deaf and Blind" are hereby directed to cooperate with said officer in the preparation and maintenance of said register by furnishing from time to time the names, addresses and such other facts concerning the adult blind in Colorado as may appear on their records or otherwise come to their knowledge. The work of preparing and maintaining said register shall be done in the office of and by the advice and under the direction of the State Superintendent of Public Instruction, where said register shall be preserved and filed, and whose office shall be the general headquarters for the said state teacher of the adult blind.

Sec. 3. All the time and services of said officer shall be devoted ratably among the homes of all said adult blind, in the manner and way the State Board of Education shall prescribe, and he shall, prior to the first of November of each year, prepare and file with the president of said board a full and complete report of all of the work commenced or accomplished by his office during the preceding year: Provided, That the State Board of Education shall have the power at any time to remove said officer, after due hearing, for any reason sufficient to said board, and to appoint another officer for such unexpired term.

Sec. 4. The State Teacher of the Adult Blind of Colorado shall receive a salary of one thousand dollars (\$1,000) a year, payable in equal monthly installments by the State Treasurer from the same fund provided for the payment of other state officers, and upon due warrants of the State Auditor, who is hereby authorized and directed to issue the same upon receipt of properly issued vouchers of the State Board of Education. Said officer shall also be paid and allowed all traveling and living expenses while away from the place of his residence and traveling within the limits of the state in fulfillment of the duties of his office, and also all books and papers necessary for the preparation of said register, and also all necessary teaching equipments and teaching methods, duly approved by the State Board of Education, not to exceed in all the sum of five hundred dollars (\$500) for any year, which said expenses shall be evidenced by itemized statements thereof, filed by said officer with the State Board of Education at the end of each month, and shall be paid monthly by the State Treasurer in the same manner as the expenses of the other state officers allowed by the law are paid, and upon due warrants of the State Auditor, which officer is hereby directed and authorized to issue said warrants upon receipt of

properly issued vouchers of the State Board of Education covering said expenses.

Sec. 5. In the opinion of the General Assembly, an emergency exists, therefore this act shall take effect and be in force from and after its passage.

Approved June 1st, 1911.

COLORADO.

1912.

(Abstract taken from the last United States Census.)

The management of the Colorado School for the Deaf and Blind is vested in a board of five trustees appointed by the Governor with the consent of the Senate for terms of six years. The trustees receive no compensation other than their actual expenses incurred in the performance of their duties. The object of the school is the education of such children of the state as cannot, by reason of the impairment of their sense of hearing or of sight, be advantageously educated in other schools of the state. Every blind citizen of the state of sound mind, over 6 and under 21 years of age, is entitled to receive an education in the institute at the expense of the state. All applicants above the age of 21 years may be admitted at the option of the board. Each county superintendent of common schools must report annually to the superintendent of the institute for the deaf and blind, the name, age and address of every blind person of suitable age for admission to the school residing in his county, including all such persons as may be too blind to acquire an education in the common school. At the time of taking the annual census, the district secretary must use reasonable diligence to ascertain the number of blind persons, resident in the district, between the ages of 4 and 22 years, with the name and address of each, which items are to be included in his annual report to the county superintendent. When there is room in the institution residents of other states may be admitted upon the payment of a sum to be fixed by the trustees but not to be less than the per capita cost of the inmates for the preceding year. In every case where a blind person sent to the institute is too poor to furnish himself with sufficient clothing and pay the expense of transportation to and from the institution, the county of his residence must meet the expense if the judge of the county court thinks him a proper subject for the care of the institute.

CONNECTICUT.

1903.

An Act Concerning Aid for Adult Blind Persons.

Be it enacted by the Senate and House of Representatives in the General Assembly convened:

Section 1. The provisions of section 2295 of the general statutes are hereby extended so as to include every blind person who has been a beneficiary of the state in any institution for the blind for the purpose of learning a trade which shall be conducive to his or her self-support, provided such adult blind person is a legal resident of this state.

Sec. 2. Every adult blind person desiring to receive the aid provided for in section 2295 shall make written application therefor to the state authorities having in charge the industrial education of the blind, which application shall be accompanied by a statement signed by not

less than twelve reputable citizens of the town to which said blind person belongs, to the effect that said blind person is industrious, of good habits and capable of carrying on in a competent manner a trade which he or she has learned.

Sec. 3. Upon the approval of said application by said state authorities, they may provide, under such conditions as they may deem necessary, machinery, tools and materials to the amount of not more than two hundred dollars in any one case, for the purpose of enabling said person to carry on such trade, and the appropriation made biennially by the General Assembly for the care and education of the blind shall be made to include the sum deemed necessary by the proper state authorities to accomplish the provisions of this act during the succeeding biennial period.

Sec. 4. Every article so provided for such blind person and the income from labor thereby shall be exempt from attachment.

Sec. 5. This act shall take effect from its passage.

Approved May 29, 1903. (Chapter 62.)

CONNECTICUT.

1905.

An Act Concerning the State Board of Education for the Blind.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. The right to visit, inspect and report concerning the Connecticut Institute for the Blind is hereby vested in the board of education for the blind.

Sec. 2. No member of the Board of Education for the Blind shall be an officer or trustee of the Connecticut Institute for the Blind, or a member of the advisory board of said institution, or in any way connected therewith.

Sec. 3. All of the departments of said Connecticut Institute for the Blind shall be visited and thoroughly inspected as often as once in three months by at least two members of the Board of Education for the Blind, without previous notice of such visits being given to the persons in charge of such departments.

Sec. 4. Said Board of Education for the Blind shall, annually, on or before the Monday after the first Wednesday in January, submit to the Governor its report, containing a statement of the doings of the board during the preceding year; an account of the condition, financial and otherwise, of the Connecticut Institute for the Blind, and its various departments; the number of its inmates; the number of blind persons from this state being educated in other institutions, under the provisions of section 2290 of the General Statutes, and such other information as will apprise the General Assembly of the true condition, progress and needs of blind persons who are residents of this state and who are receiving instruction under the provisions of Chapter 143 of the General Statutes relating to the education of the blind, and of all other blind persons who are residents of this state whose cases have come to the knowledge of said board.

Sec. 5. This act shall take effect from its passage.

Approved May 18, 1905. (Chapter 66.)

CONNECTICUT.

Chapter 143.

Education of the Blind.

2285. *Blind Persons, to Be Educated by the State.* All blind persons, or persons so nearly blind that they cannot have instruction in the public schools, who are of suitable age and capacity for instruction in the simple branches of education and who are legal residents of this state, on the affirmative vote of three members of the Board of Education of the Blind, shall be entitled to receive instruction and for a length of time as may be deemed expedient by said board. The expense of such education shall be paid by the state, to an amount not exceeding three hundred dollars for each of said persons in any one year, except that where the parents of such blind person are not able to provide for his clothing and transportation an additional sum of thirty dollars per year may be allowed for those expenses.

2286. *Board of Education of the Blind.* The Board of Education of the Blind shall consist of four members, of whom the Governor of the state and the Chief Justice of the Supreme Court shall be permanent members. The other two members shall be appointed by the Governor, and shall be a man and a woman, both residents of this state, whose term of office shall commence on the first of July, in the year when they are appointed, and shall continue for four years. The Governor may for reasonable cause remove the appointive members and appoint other persons to fill the vacancy for the unexpired term. The Chief Justice may appoint as a member in his place any judge or ex-judge of the Supreme or Superior Court, such appointment to be for two years from its date.

2287. *Meetings of the Board.* Said board shall meet annually on the first Monday of July at the capitol, and may meet at any other time upon the call of the secretary of the board; and the secretary shall call a meeting at the request of two members of the board. The Governor, or in his absence, the judicial member, shall be chairman of the board. The board shall adopt rules for its own action, and for determining what persons shall receive its benefits.

2288. *Secretary and Treasurer—Expenses.* The board shall appoint a secretary, who shall also act as treasurer, and prescribe his duties and compensation, which office shall be held subject to the pleasure of the board. No member of the board shall receive compensation for services rendered unless such services shall be special and specially requested by the board, in which case a moderate allowance may be made for the time actually spent. The actual and necessary expenses of the members and of the secretary shall be paid, and a certified statement of such expenses and of the amount paid for the salary of the secretary and as compensation for special services of the members shall be filed with the Comptroller within one month after the termination of each year.

2289. *Salary and Expenses of the Secretary.* The salary of the secretary shall be paid monthly, and all other bills for services and expenses at the end of the year, and the certificate of the Governor, of the amount, shall be a sufficient warranty to the Comptroller for the payment of the same, a certificate of the items being first filed with him

as above provided. The tuition and other expenses of the beneficiaries shall be paid quarterly by the Comptroller upon the certificate of the Governor or judicial member as to the amount, which certificate shall be accompanied with a detailed statement of the items. No expense shall be incurred except on the affirmative vote of three members of said board.

2290. *May Contract with Institution for Instruction of Blind.* The board may contract with institutions having facilities for the instruction of the blind for the education of blind persons from this state found by the board to be fitted for such instruction, but within the expenditure therefor provided in Sec. 2285.

2291. *Compulsory Attendance May Be Enforced.* The board may compel attendance of any minor blind child at any such institution; and if the parents or guardians of such child shall not assent thereto, the Judge of Probate in the district where said child resides shall, on the application of a member of said board, and after reasonable notice to the parents or guardians of the time and place for the hearing of said application, inquire into the facts; and if said Judge shall find that the sight of such child is so impaired as to disable it from attending and receiving instruction at ordinary public schools he shall issue his order placing said child in the care and custody of said board until further order of said court, and said order shall give to said board all the rights and authority of a parent over said child.

2292. *Power to Receive Bequests.* The Connecticut institute and industrial home for the blind shall remain as established and is empowered to receive, hold, invest, or employ, as it may deem for the best interests of said institution, any and all property; of whatever nature which may come to it by gift, bequest or devise, or which it may acquire in any manner; but the general assembly may, at any time, limit the amount of property to be so held or acquired. All property of said institution shall be exempt from taxation.

2293. *Exemption from License Fees.* Any goods, wares, or merchandise, manufactured or produced in whole or in part by said institution in furtherance of its purpose to instruct or employ the blind, may be sold or exchanged in any town, city, or borough in this state, and neither said institution, its agents, nor its employees shall be required to procure a license therefor, and no law providing for the payment of a license fee for such privilege shall apply to said institution, its agents or employees, unless it or they shall be particularly referred to in its provisions.

2294. *Instruction in Useful Occupation.* Every blind or partially blind male person over eighteen years of age, who is a beneficiary of the state in the department of industrial training in any institution, shall be given at the expense of the state, for a period not exceeding three years, practical and uninterrupted instruction in some useful occupation conducive to his future self-support.

2295. *Trade Implements May be Provided; Expense of Same.* At the termination of the period of industrial training of every such person the state authorities having in charge the industrial education of the blind shall be empowered to provide, under such conditions as said authorities may deem necessary, machinery, tools and materials

to the amount of not more than two hundred dollars in any one case, for the purpose of establishing every such blind or partially blind person in some useful occupation conducive to his self-support. The expense of providing said machinery, tools, and materials, shall be met from the appropriation made biennially by the general assembly for the education of the blind.

CONNECTICUT.

(Abstract taken from the last United States Census)

The blind are especially exempted from the penalties of the law applying to tramps (1902).

The property to the amount of \$3,000 of any person who, by reason of blindness, is unable by his labor to support himself and family is exempt from taxation (Laws 1913).

DELAWARE.

1913.

An Act Establishing the Delaware Commission for the Blind; Defining the Duties and Powers of said Commission and Providing for an Appropriation to Pay the Expenses Thereof.

Approved March 31, 1909. Amended March 31, 1911. Amended February 24, 1913.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That a commission to be known as "The Delaware Commission for the Blind" be and the same is hereby created and established, to have supervision and control of the education, training and welfare of blind persons residing in the state of Delaware. Said The Delaware Commission for the Blind shall consist of seven members, who shall be appointed by the Judges of the Superior Court of the state of Delaware, within one month after the passage of this act or as soon thereafter as may suit the convenience of said Judges. Each county of this state shall be entitled to the appointment of at least one member of said The Delaware Commission for the Blind. Said commissioners shall respectively hold office for the term of five years or until their successors are duly appointed. All vacancies on said The Delaware Commission for the Blind, whether occurring by expiration of term or otherwise, shall be filled by said Judges of said Superior Court. No person shall be ineligible to appointment by reason of sex to serve on said The Delaware Commission for the Blind.

Sec. 2. The said The Delaware Commission for the Blind shall organize by the selection from its members of a chairman, a treasurer, a secretary and such other officers as are or may be deemed advisable, and shall make such rules and regulations for its own conduct as may be deemed advisable. No member of said The Delaware Commission for the Blind shall receive any salary or compensation for services as such commissioner.

Sec. 3. The said The Delaware Commission for the Blind shall have general supervision and control of the education, training and welfare of blind persons residing in the state of Delaware, and for that purpose shall from time to time select and appoint a suitable person or persons to be instructors of the blind, which said instructors shall at all times

be under the sole control of said The Delaware Commission for the Blind, and shall be employed upon such terms, and shall do and perform such duties for such periods and in such manner as shall be determined by said The Delaware Commission for the Blind. The said The Delaware Commission for the Blind is authorized and empowered to expend such sum or sums of money as it shall deem proper and necessary for effectuating the objects of this Act, provided, however, that said sums of money shall not in the aggregate in any one year exceed the sum of money hereinafter appropriated to said The Delaware Commission for the Blind for such purposes.

Sec. 4. Any adult indigent blind person who is a resident of the state of Delaware may make application to said The Delaware Commission for the Blind to receive instruction and training from said instructors, said application shall be in writing and shall be endorsed by at least two (2) substantial citizens residing in the community in which the applicant resides. The said The Delaware Commission for the Blind shall have full authority to pass upon said application and may grant or refuse the same in their discretion. They shall indicate at what time said instruction shall commence, for how long it shall continue, and when it shall determine, and they may discontinue said instruction at any time when to them it shall seem wise or proper so to do.

Sec. 5. It shall be the duty of every parent, guardian or other person having custody or control of a blind child or blind children between the ages of seven and eighteen years residing in this state to cause said blind child or blind children to receive instruction and training adapted for blind persons, for at least six months in each year until said child or children have attained the age of eighteen years. Any blind child may be excused by said The Delaware Commission for the Blind from receiving said instruction and training upon the presentation to said The Delaware Commission for the Blind of satisfactory evidence that said child is not in proper physical or mental condition to receive said instruction and training. Said parent, guardian or other person having custody or control of any blind child or blind children shall make application to said The Delaware Commission for the Blind for instruction and training for said child or children, upon receipt of a notice from said The Delaware Commission for the Blind to that effect. Said The Delaware Commission for the Blind may recommend to the Governor of this state that said applicant be placed in an institution for the instruction and training of blind persons. The Governor may grant or refuse such application in his discretion, and he is hereby vested with all the powers and discretion in regard to such application and recommendation as he, by law now has, in cases where application for instruction of indigent blind children is made through the Judges of the Superior Court of this state.

Sec. 6. Every parent, guardian or other person having control of a blind child or blind children, violating any of the provisions of this act shall be guilty of a misdemeanor, and shall, upon conviction thereof before a Justice of the Peace of the state of Delaware, be subject to a fine of not less than two dollars, nor more than ten dollars, to be collected as like fines and penalties are now by law collectible, and in

default of the payment of said fine to undergo an imprisonment not exceeding ten days. Any person so convicted shall have the right to an appeal of the Court of General Sessions of the county in which said conviction was had, upon giving bond in the sum of one hundred dollars to the state with surety satisfactory to said Justice of the Peace by whom said person was convicted. Such an appeal shall be taken and bond given within three days from the time of conviction.

Sec. 7. This act shall not apply to any blind child or blind children who are being otherwise instructed and educated in a manner satisfactory to said The Delaware Commission for the Blind.

Sec. 8. Said The Delaware Commission for the Blind shall have full power and authority to purchase or otherwise acquire, to hold, own, mortgage, sell or assign real and personal property, to accept and receive any private funds, bequests, legacies or gifts of property, real and personal, to be used for the education and training of blind persons, and to hold, manage and invest the same and collect and disburse the principal thereof in accordance with the directions of the parties devising or donating the same; and in default of any such direction, then the said The Delaware Commission for the Blind shall accept, hold, manage and dispose of said property and disburse the income thereof in any manner which it may deem best adapted to promote the education, training and welfare of blind persons residing in the state of Delaware. Said The Delaware Commission for the Blind may hold, own, sell and dispose of any such property, real, personal or mixed, so purchased or received as aforesaid, and may reinvest the proceeds from the sale of any of said property and collect and disburse the income therefrom and the principal thereof in the manner above outlined.

Sec. 9. There shall be appropriated annually for the purpose of said commission the sum of three thousand dollars (\$3,000), and the State Treasurer is hereby authorized and directed to pay to the treasurer of said commission in the month of April in each year said sum of three thousand dollars (\$3,000), the first payment to be made in the month of April, A. D. 1911.

Sec. 10. The said The Delaware Commission for the Blind is, and it is hereby authorized, and it is hereby made its duty, to appoint a representative to visit, during the months of April and October in each and every year, the institutions outside of this state wherein the indigent blind, deaf, dumb and idiotic children of this state are maintained and instructed, in order to ascertain whether or not they are receiving proper treatment and instruction and are making such improvement or advancement as will justify the state in incurring the necessary expense attached to their remaining in said institutions, and the said commission shall make a detailed report of such investigation, in writing, annually to the Governor.

Sec. 11. The lands, tenements and property of said The Delaware Commission for the Blind shall be exempt from any and all state, county and municipal taxes during such time and to the extent that such lands, tenements and property shall be actually by said commission in its work for the blind of this state, provided that said exemption shall not apply to any lands, tenements and property owned by said

commission as investments, and not actually used by said commission in its work.

Sec. 12. That the act entitled "An Act to Provide for the Education and Training of the Indigent Adult Blind Persons of the State of Delaware," as it appears in Chapter 142 of Volume 24, of the Laws of Delaware, be and the same is hereby repealed.

DISTRICT OF COLUMBIA.

(Abstract taken from the last United States Census.)

Education of the Indigent Blind.

Whenever the Secretary of the Interior is satisfied by evidence produced by the president of the Columbia Institution for the Deaf that any blind person of teachable age can not command the means to secure an education, he may cause the person to be instructed in some institution for the education of the blind, in Maryland, or some other state, at a cost not greater for each pupil than is or may be for the time being paid by the state, and to cause the same to be paid, one-half out of the treasury of the United States. Since 1908 the District Commissioners have been required to make the contract for the education of indigent blind children.

FLORIDA.

1914.

(Abstract taken from the last United States Census.)

School for the Blind.

The State Board of Control has charge of the control and management of the Florida School for the Deaf and Blind. Any blind person residing in the state between the ages of 6 and 21 years may, upon certification of his application by the commissioner of his county of residence, be received into the school. No blind person who is making marked progress on reaching the age of 21 years may be dismissed from the school excepting at his own option until he has graduated. The county commissioners pay all transportation expenses and the state pays all the expenses for clothing, food and other necessities. Those who are able are required to pay all the necessary expenses, tuition excepted. The board, upon the recommendation of the superintendent, may allow pupils to remain after they reach the age of 21 years.

GEORGIA.

1852.

Act of Incorporation—An Act to Incorporate and Endow the Georgia Academy for the Blind.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, that Nathan C. Munroe, Absalom H. Chappell, John B. Lamar, Edwin B. Weed, James M. Green, Edwin Graves and Robt. A. Smith, Trustees of the Georgia Academy for the Blind, and all who, according to the constitution and laws are, or shall become members thereof, be and they are hereby declared to be a body corporate, by the name and style of "The Georgia Academy for the Blind," and by the same corporate name shall have perpetual succession, be capable to buy, hold and sell real and personal estate, make con-

tracts, sue and be sued, to use a common seal, or to break or renew the same at pleasure.

Sec. 2. And be it further enacted, That the said academy shall be governed by such constitution and laws as are now in existence, until the same be altered by the members thereof, and that the members of said academy shall have power to make, alter or repeal their constitution and laws in such manner as they shall deem expedient: Provided, that nothing in the same be contrary to the constitution and laws of this state or of the United States.

Sec. 3. And be it further enacted, That the trustees of said academy shall be empowered to receive all gifts, grants, legacies, privileges and immunities, which now belong to said academy, or which hereafter may be made or bequeathed to it, and no misnomer of the corporation, or other technical error, shall prevent its right from vesting wherever it may appear, or shall be ascertained, that it was the intention of the party or parties to give, grant or bequeath any property, real or personal, or any right or interest to the said corporation.

Sec. 4. And be it further enacted, That the trustees aforesaid shall have the power of appointing such officers, teachers and matrons as may be necessary for said academy, to fix their salaries and prescribe their duties, and the same, or any of the same, to remove or discontinue when they may think proper.

Sec. 5. And be it further enacted, That the trustees aforesaid shall have a general supervision and control over the affairs of said academy, shall prescribe the course of studies, establish the rates of tuition, adjust the expenses, and adopt such regulations, not otherwise provided for, as the interest of the academy may require.

Sec. 6. And be it further enacted, That the trustees aforesaid shall select indigent blind persons from different counties of the state, between the ages of twelve and twenty, and maintain and educate them gratuitously so far as the funds of the said academy will admit; the said trustees, shall present an annual report to his excellency the governor, containing the number of such indigent pupils, with their names and places of residence; also a detailed report of the condition of said academy, and of the number of pupils therein, accompanied with a statement of all its receipts and expenditures during the preceding year.

Sec. 7. And be it further enacted, That to aid the funds, and defray the expenses of the said academy, his excellency the governor is hereby authorized and required to draw his warrant on the state treasurer, in favor of the trustees aforesaid, for the sum of five thousand dollars, to be paid in the year eighteen hundred and fifty-two, and shall draw his warrant on the state treasurer, in favor of the said trustees, for the further sum of five thousand dollars, to be paid in the year eighteen hundred and fifty-three.

GEORGIA.

1914.

Academy for the Blind.

Sec. 1401. *Location, etc., of Academy for the Blind.* An institution for the education of the blind is located at Macon under the control of seven trustees already appointed.

Sec. 1402. *Trustees, a Body Corporate.* They are a body corporate and have all the powers and duties appertaining to similar institutions of this state, in their corporate capacity as trustees of the Academy for the Blind.

Sec. 1403. *Powers of Trustees.* The trustees have the power: 1. To appoint such officers, teachers and matrons as may be necessary; to prescribe their duties, fix their salaries, and to remove or discontinue them at pleasure. 2. To prescribe the course of studies, establish the rates of tuitions, and adjust the expenditures of the institution. 3. To adopt such rules and regulations, not in conflict with law, as the interest of the academy may require.

Sec. 1404. *Education of the Indigent Blind.* All indigent blind persons between the ages of seven and twenty-five years, who shall have given satisfactory evidence of having been a resident of this state for at least two years prior to his or her application, shall be selected by the trustees from the different counties of the state, received into the academy, and supported and educated gratuitously to the extent the funds will permit.

Sec. 1405. *Applicants, How Appointed.* When there are more applicants than can be accommodated, they shall be apportioned among the several counties, according to representative population.

Sec. 1406. *Number of Pupils, How Regulated.* Unless the funds will otherwise permit, there shall hereafter be but one indigent pupil from the counties applying and in case there are not means enough to receive one from every county applying, those shall be received first who first make application. A beneficiary shall not remain at the charge of the institution for longer than four years.

Sec. 1407. *Pay Pupils, How Received.* All others than the indigent are to be received on such terms as the trustees may impose.

Sec. 1408. *Treasurer Must Give Bond.* The treasurer of the board shall give bond and security in the sum of three thousand dollars.

Sec. 1409. *Trustees Must Report to Governor.* The trustees must make annual reports to the governor of all the affairs of the institution, sending therewith the annual report of the superintendent or principal, and shall propose such alterations and improvements as they may desire, which the governor shall lay before the general assembly with his annual message.

Sec. 1410. *Board of Visitors.* The governor shall appoint a board of ten visitors for said academy, who shall meet the board of trustees at the academy annually, at such time as the latter may designate.

Sec. 1411. *Powers and Duty of Visitors.* Said board of visitors shall report to the governor such matters as they deem advisable, which report shall be by the governor laid before the general assembly in connection with his annual message.

Sec. 1412. *Vacancy in Board of Trustees, How Supplied.* The trustees fill vacancies in their own body. When a vacancy occurs and is filled, it must be reported to the governor. Their ineligibility is likewise the same as those last mentioned.

Sec. 1413. *Statistics of the Blind, How Obtained.* The receiver of each county must keep a column for and receive the number of blind between the ages of seven and twenty-five, a statement of which shall

be obtained annually by said board of trustees from the comptroller general's office. Before the digest is sent by the tax receiver to the comptroller, the ordinary of each county shall examine (with such receiver) his list of the blind, and correct (by memoranda thereto attached) and mistake.

Sec. 1414 (1317). *List of Indigent Blind.* The ordinary shall also take down the names of such as are indigent, and procure their admission into the asylum if possible; and if from any cause, they are not received, he shall report to the board of trustees the names, ages and sex of such, who shall keep a record of all such reports.

Sec. 1415. *Laws Kept in Force.* Section 1396 (as to laws kept in force), applies to the asylum for the blind.

IDAHO SCHOOL LAWS.

Chapter III.

School for Deaf, Dumb and Blind.

Sec. 800. *Board of Education May Make Arrangements.* The State Board of Education is hereby empowered and authorized to make the necessary arrangements for the education of the deaf, dumb and blind of this state, including the providing of a suitable building therefor, and equipping the same so far as may be necessary, including also the arranging for the conveyance of the scholars to and from the school at the expense of the state, and including the hiring of a superintendent, instructors and employes, and the fixing of their compensation, and such other matters as may be necessary to carry into effect the provisions of this chapter: Provided, however, that the State Board of Education may, if it becomes necessary, enter into contract with one or more of the adjacent states or territories (having an institution for the education of the deaf, dumb and blind) for the education of the deaf, dumb and blind of the state of Idaho, upon the most economical terms possible: Provided, however, that if it should become necessary to make any such contract, no more than three hundred dollars per year shall be paid for each scholar's instruction and board, including board during vacation.

Sec. 801. *Examination of Applicants.* The State Board of Education is authorized to provide for the careful examination of all applicants for admission to the school to be provided by the said board, and the expenses of the said examinations, and for other expenses in connection with the education of the deaf, dumb and blind, under the authority conferred by this chapter, shall be paid out of the state treasury, as provided by law.

Sec. 802. *Definition of Deaf and Blind.* All children between the ages or six and twenty-one years, who are too deaf or too blind to be educated in our public schools, shall be deemed deaf and blind for the purposes of this chapter.

Sec. 803. *Census of Deaf, Dumb and Blind.* It shall be the duty of the Board of Education to ascertain the number of deaf, dumb and blind children in the state, as defined by the preceding section, and as soon as practicable thereafter, to take the necessary steps for their education, as provided for in this chapter.

Sec. 804. *Same—Duty of District Census Marshals.* It is hereby made the duty of the census marshal of each school district in the state

of Idaho, when he shall enumerate the children of school age in his district, to carefully ascertain what children in that district are deaf and blind, as defined in Section 802, and he shall note the name, age and sex of such child or children, also the name of parents or guardian or other person having the legal or actual charge of such child or children, and shall report the same to the county superintendent of public instruction and said county superintendent of public instruction shall immediately report the same to the state superintendent of public instruction.

IDAHO.

House Bill No. 194.

An Act to provide for the establishment, building and equipment of a State School for the Deaf and Blind; to provide for the management thereof by the State Board of Education and to provide for the issuance, sale and redemption of bonds to raise money for the purchase of a site and for the building and equipping of said school.

Be it enacted by the Legislature of the State of Idaho:

Section 1. A state school for the education of the deaf and the blind children of this state is hereby established to be called "State School for the Deaf and the Blind."

Sec. 2. The governor of the state of Idaho and the State Board of Education are hereby empowered and authorized to select a suitable site and to purchase for the state such lands as the board may deem suitable as a site for said school. The State Board of Education shall have power to advertise and receive bids for the building of said school and to let contracts for all work to be done in the erection, constructing and equipping of said school, at a cost to the state not to exceed twenty-five thousand dollars (\$25,000) to include the purchase of necessary lands, building and equipment, and the board shall have the direction, control and management of said school. The board shall arrange for the conveyance of scholars to and from the school at the expense of the state, shall hire a superintendent, instructors and employes, and fix their compensation, and shall have power to make all needful rules and regulations to carry into effect the general powers of management and control hereby conferred.

Sec. 3. The State Board of Education is authorized to provide for the careful examination of all applicants for admission to the school to be provided by said board, and the expenses of said examination and all other expenses in connection with the education of the deaf and blind, under authority conferred by this act, shall be paid out of the state treasury, as provided, as provided by law.

Sec. 4. All children between the ages of six and twenty-one years who are too deaf or too blind to be educated in our public schools, shall be deemed deaf and blind for the purposes of this act.

Sec. 5. It shall be the duty of the Board of Education to ascertain the number of deaf and blind persons in the state as defined by the preceding section, and, as soon as practicable thereafter, to take the necessary steps for their education as provided for in this act.

Sec. 6. It is hereby made the duty of the census marshal of each school district in the state of Idaho, when he shall enumerate the children of school age in his district, to carefully ascertain what chil-

dren in that district are deaf and blind, as defined in Section 4, and he shall note the name, age and sex of such child or children, also the name of parents or guardian or other person having the legal or actual charge of such child or children, and shall report the same to the County Superintendent of Public Instruction, and said County Superintendent of Public Instruction shall immediately report the same to the State Superintendent of Public Instruction.

Sec. 7. And for the purpose of purchasing lands, creating and equipping a suitable building for the State School for the Deaf and Blind, a loan of twenty-five thousand dollars (\$25,000) is hereby authorized upon the faith and credit of the State of Idaho, to be negotiated by the board consisting of the Governor, Treasurer, Secretary of State and Attorney General of the State of Idaho, and the State Treasurer is hereby authorized, empowered and directed, immediately upon the passage of this act, to issue twenty-five bonds of the State of Idaho, to be known as the State Deaf and Blind Building Bonds, in the sum of one thousand dollars (\$1,000) each, payable in twenty years from the date of their issuance, to bear interest at a rate not to exceed four per cent per annum, payable semi-annually, on the first days of April and October of each year, at a bank in the City of New York, to be selected by the State Treasurer. Said bonds, however, to be redeemable at the option of the State of Idaho at any time after the expiration of ten years from the date of their issuance. Said bonds shall be numbered from one to twenty-five consecutively.

Sec. 8. That the State Treasurer is hereby authorized, empowered **and directed to cause to be printed or lithographed** suitable bonds in proper form with coupons attached for the purpose of this Act. All such bonds shall be signed by the Secretary of State, with his own proper name, affixing his official character and shall be authenticated by the great seal of the State and shall be countersigned by the Governor of the State with his own proper name, affixing his official character, and shall then be delivered by the Secretary of State to the State Auditor, who shall make and keep a register of such bonds, showing the number and amount of each bond, and to deliver the said bonds to the State Treasurer and charge the State Treasurer on the books of the Auditor's office with the full amount of each bond.

Sec. 9. That at the time of the issuing of said bonds under the provisions of this Act, the State Treasurer shall sign them with his own proper name, affixing his official character, and shall in like manner sign the coupons thereto attached, and such signing shall bind the State. The coupons for the payment of interest shall be attached to said bonds in such manner that they may be taken off without mutilating or injuring the bonds, and shall be severally numbered from one (1) to twenty-five (25), each bearing the corresponding number of the bond to which it is attached. The Treasurer shall keep a record of all bonds issued by him, showing the date of issuance, and shall deliver said bonds, with the coupons attached as aforesaid, to the purchaser or purchasers, upon the receipt of the purchase money therefor; and the money received from the sale of said bonds shall be by said Treasurer placed in a certain fund to be known as the "State Deaf and Blind School Building Fund." The expenses of procuring said bonds with

coupons attached shall be paid out of the funds arising from the sale of said bonds.

Sec. 10. For the purpose of creating a fund to pay interest and principal of said bonds, an annual ad valorem tax of four mills on each hundred dollars (\$100.00) of the assessed valuation of all property in the State not exempt from taxation is hereby levied, and shall be collected as other taxes for State purposes.

Sec. 11. If at any time there should not be sufficient money in the said State Deaf and Blind School Building Bonds Fund to pay the interest coupons on the principal of such bonds when due, the State Treasurer shall pay the same out of the general fund of the State, and shall replace the amount so paid out of the State Deaf and Blind School Building Bonds Fund whenever moneys for said fund shall be received.

Sec. 12. For the payment of bonds herein authorized and the interest thereon according to the strict terms thereof, the faith of the State of Idaho is hereby solemnly pledged; and for the payment of the interest thereon as same shall accrue on the bonds thereby authorized in lawful money of the United States the Treasurer shall reserve any and sufficient funds in his hands, at the least possible cost in preference to all other claims whatsoever, except the other bonds heretofore authorized by the Legislature of Idaho.

Sec. 13. The Treasurer shall commence negotiations for the issuance and sale of the bonds herein provided for, immediately upon the passage and approval of this Act.

Sec. 14. That at any time after ten years from the issuance of said bonds whenever there shall be five thousand dollars (\$5,000) of said sinking fund the Treasurer of the State of Idaho shall make a call by publication for sixty (60) days in some daily newspaper of this State, notifying all the parties interested that certain bonds of the State Deaf and Blind School Building Bonds provided by this Act, giving their number, will at a certain date be paid at the office of said Treasurer, and the bonds so called shall cease to bear interest from and after the date in said call specified.

Sec. 15. Chapter 3, Title 6, of the Political Code, Revised Codes of Idaho, and "An Act entitled 'An Act to provide for the education of the deaf, dumb and blind.'" approved March 12, 1907, and all other acts and parts of acts in conflict herewith are hereby repealed.

Sec. 16. Whereas, an emergency exists therefor, this act shall be in force from and after its passage and approval.

Approved March 16, 1909.

IDAHO.

1917.

SENATE BILL NO. 37.

AN ACT

To Provide Relief for Needy Blind Persons.

Be It Enacted by the Legislature of the State of Idaho:

Section 1. That it shall be lawful for and obligatory upon any county to contribute such sum, or sums, of money as hereinafter specified from the general funds of said county toward the support of any blind person who comes under and complies with the provisions of this act.

Sec. 2. Any male person of the age of twenty-one years or over, and any female person of the age of eighteen years or over, who by reason of loss of eyesight is unable to provide himself or herself with the necessities of life, and who unless relieved as authorized by the provisions of this Act would become a charge upon the public or upon those not required by law to support him or her shall be deemed a needy blind person.

Sec. 3. In order to be entitled to relief under the provisions of this act a needy blind person must become blind while a resident of this state, or be a bona fide resident of the state for a period of seven years immediately preceding the application for relief and of the county for three years immediately preceding the application for relief; Provided, that in cases where the blindness ensues in this state after a period of residence less than that specified in this section, it shall be the duty of the officer hereinafter designated to authorize the granting of relief to ascertain by sufficient evidence that the removal to this state and to county in which relief is applied for, was not primarily for the purpose of securing relief under the provisions of this act.

Sec. 4. Claims for relief hereunder shall be made by the claimant filing with the probate judge a duly verified statement of the facts bringing him or her within the provisions of this act. The list of claims shall be filed in a book furnished for that purpose by the County Commissioners in the order of filing, which record shall be open to the public. No certificate of qualification for drawing money hereunder shall be granted until the probate judge shall be satisfied from the evidence of at least two reputable residents of the county, one of whom shall be a registered physician skilled in treatment of diseases of the eye, and neither of them a relative of the applicant, that they know the applicant to be blind and that he has the residential qualifications to entitle him to the relief asked. Such evidence shall be in writing, subscribed to by such witnesses who shall be subject to cross-examination by the probate judge, or other person. If the probate judge is satisfied upon such testimony that the applicant is entitled to relief hereunder, he shall issue an order therefor, in such sum as he finds needed, not to exceed one hundred and eighty dollars per annum, to be paid quarterly from the general funds of the county on the warrant of the County Auditor; Provided, that in case any family contains two or more blind persons, the total sum for such family shall not exceed two hundred and fifty dollars per annum. The relief herein provided shall be in place of all other relief of a public nature.

Sec. 5. If in the examination of the qualifications of any person filing a claim for relief, or having a place on the list of those receiving benefit hereunder, it shall be determined upon the evidence of a registered physician, qualified as set forth in Section 4, that any person or persons making such claim, or then on such list, might have such disability benefited or removed by proper surgical operation or medical treatment, and if such person entitled to such relief files his consent in writing thereto, then the probate judge may order expended for the purpose of such surgical operation or medical treatment all or any portion of the relief, which he may award to such person for one year under the provisions of this Act, and in such case the warrant of the

County Auditor shall be issued direct to the persons entitled to compensation for such surgical operation, or medical treatment upon the certificate of the probate judge instead of being payable quarterly to the person entitled to such relief.

Sec. 6. Any applicant for relief, or any person appearing in behalf of any applicant for relief hereunder who makes a false statement, shall, upon conviction be deemed guilty of perjury and punished accordingly.

PUBLIC LAWS OF ILLINOIS.

1849. Page 39.

An Act to Establish the Illinois Institution for the Education of the Blind.

Section 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly, That Samuel D. Lockwood, Dennis Rockwell, James Dunlap, William W. Happy and Samuel Hunt are hereby constituted a body politic and corporate, by the name of the "Illinois Institution for the Education of the Blind," and by that name they and their successors shall have perpetual succession and existence, with power to contract and be contracted with, to sue and be sued, to plead and be impleaded, to make and use a common seal and alter the same at pleasure, to take or receive, by grant deed, devise, bequest or otherwise, property, real, personal and mixed, and have, hold, use, enjoy and convey the same; to adopt by-laws not inconsistent with the constitution and laws of the land, and to do all other acts necessary to the proper exercise of the powers, herein conferred.

Sec. 2. The object and duty of the corporation shall be to continue and maintain the school for the education of the blind established in Jacksonville; and to qualify, as far as practicable, that unfortunate class of persons for the enjoyment of the blessings of free government, obtaining the means of subsistence, and the discharge of those duties, social and political, devolving upon American citizens.

Sec. 3. The school shall be continued in or near Jacksonville, and the corporation shall, as early as practicable, purchase a suitable lot of ground, containing not less than ten nor more than forty acres, and proceed to erect thereon suitable buildings, and make such improvements as are necessary for the school.

Sec. 4. The persons named in the first section of this act, and their successors, shall be the trustees of the school, to whom power is given to employ the principal and all teachers, prescribe their duties, fix their compensation, and the price of instruction; prescribe the course of study, fix the price of board, and all other persons necessary to the maintenance and to carry on the operations of the school.

Sec. 5. All blind persons residing in Illinois, of suitable age and capacity to receive instruction, shall be received and taught in the said school, and no one of such persons shall be excluded from the privilege and benefits thereof by reasons of the reception of persons from other states or territories.

Sec. 6. The said corporation shall not take or hold property of any kind or description, or by any tenure, except such as may be for the use of the school and other purposes contemplated in this act.

Sec. 7. The trustees for the time being shall be severally liable for

the faithful application of all property, funds and effects which may be received for the use of the institution; and property, funds and effects received by gift, grant, donation, devise, or bequest shall be applied as directed by the person from whom received.

Sec. 8. The officers of the corporation shall be a president, secretary and treasurer, who shall be appointed by the board of trustees; the president to be selected from their own number; the trustees to serve without compensation.

Sec. 9. The trustees mentioned in the first section of this act shall serve as follows, to-wit: Three shall serve for the term of four years, and two for the term of two years, and until their successors are appointed and qualified. The trustees shall meet within thirty days after the passage of this act, and organize, and determine by lot the three that shall serve four years, and the two that shall serve two years. The Governor shall appoint their successors, whose appointments shall commence on the fourth of March, and continue for four years, and until their successors are appointed and qualified.

Sec. 10. The officers of the school shall be a principal, who shall have the general charge of the school, and such teachers as may from time to time be appointed. The academic and literary degrees unusually conferred by institutions for the education of the blind, shall be conferred by this institution, and diplomas granted accordingly.

Sec. 11. Blind persons who may be placed in this school by or under the authority of the state, or any county, city, town or other public corporation, shall be kept, taught and permitted to enjoy all the benefits and privileges of the school, be furnished with books, boarding, lodging, washing, fuel, lights, and allowed the use of the library, at not exceeding one hundred dollars for the academic year for forty-two weeks. The provisions of this section to apply only to scholars sent from other states.

Sec. 12. To aid in the establishment of the school, there shall be paid to the said trustees, for the use of the institution, the proceeds of a tax of one-tenth of a mill upon every dollar's worth of taxable property in this state; which tax shall be assessed and collected annually with the taxes assessed and collected for the ordinary purposes of government.

Sec. 13. The Treasurer of State shall receive the tax collected for the institution, and keep the same as a separate fund, to be known as the fund for the blind, and pay out the same, from time to time, in such amounts as may be necessary, in the judgment of the board of trustees, in conducting the business of the institution. The Treasurer shall pay out the money on the warrants of the Auditor, issued on the order of the Governor, who is authorized to make the order on the application of the board of trustees.

Sec. 14. For the purpose of enabling the trustees to commence the building of said institution, there is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of three thousand dollars; which shall be paid to the trustees on the warrant of the Auditor of Public Accounts, who is authorized to issue the warrant on the order of the Governor, who shall give the order upon the application of the trustees.

Sec. 15. The trustees, before entering upon the duties of their office, shall give bonds, payable to the people of the State of Illinois, conditioned for the faithful discharge of their duties, to be approved by the Governor.

Sec. 16. The blind of this state, who are of suitable age and capacity shall be received and taught in the school, and enjoy all the benefits and privileges of the same, free of charge. This act to take effect from and after its passage.

Approved January 13, 1849.

VOL. 1, PRIVATE LAWS OF ILLINOIS.

1865. Page 68.

An Act to Incorporate the Chicago Charitable Eye and Ear Infirmary.

Whereas, It is a duty of common humanity to relieve the suffering and destitute, and it is for the public good of a state to encourage and aid such institutions as have for their aim to provide for the gratuitous and scientific treatment of diseases of the eye, to secure the necessary aid for themselves, thereby relieving the sufferers from a condition of helplessness, and, many times, the state from the necessity of their support.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Walter L. Newberry, Luther Haven, Samuel Stone, Ezra B. McCagg, William Barry, William H. Brown, Thomas B. Bryan, Philo Carpenter, Wesley Munger, Eliphalet W. Blatchford, Cyrus Bentley, Flavel Mosley, together with Daniel Brainard, Joseph W. Freer, Edwin Powell and Edward L. Holmes, physicians, all of the City of Chicago, or its vicinity, are hereby declared and created a body corporate, for the purpose aforesaid, by the name of "The Chicago Charitable Eye and Ear Infirmary," and that they and their successors shall have perpetual succession, by the same name.

Sec. 2. Said corporation shall have power to elect trustees and surgeons of the institution, and to choose such officers, and committees, and establish such dispensaries as its interests, from time to time, seem to require; may make a constitution and rules, by which it shall be governed, not repugnant to the constitution and laws of this state, and may change the same, from time to time, at its pleasure.

Sec. 3. Said corporation may adopt and have a common seal, may sue and be sued, prosecute and defend suits, in its corporate capacity, in any of the courts of record in this state, and is hereby licensed and empowered to make, purchase and receive grants, devises and donations of real and personal estate, and the same, or any part thereof, to a lien, sell and convey; but said real and personal estate, exclusive of an infirmary building, shall not exceed in amount the sum of one hundred thousand dollars.

Sec. 4. Walter L. Newberry, or any other person named in this act, is hereby authorized to call the first meeting of said corporation.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved February 16, 1865.

ILLINOIS LAWS.

1867. Page 25.

INDUSTRIAL HOME FOR THE BLIND.

An Act to incorporate the Illinois Industrial Home for the Blind, and to make an appropriation therefor.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That for the manual training and furnishing of employment to the blind, a corporation is hereby created to be known and designated as the Illinois Industrial Home for the Blind, and to have perpetual succession, with power to contract and be contracted with, to sue and be sued, to plead and be impleaded, to receive by any legal mode of transfer or conveyance, and to have, hold, and use property of every description, but not to sell or convey any such property except the goods, wares, merchandise and other personal property prepared by said Home for sale, and such property shall be held in trust as the property of the state; also to have and use a common seal, with the power to change the same, also to adopt by-laws, rules and regulations for the government of its members, officers, agents, employes and inmates; Provided, such by-laws shall not be contrary to the letter or spirit of the constitution of the State of Illinois, or of the United States.

Sec. 2. The object of said corporation shall be to promote the welfare of the blind by teaching them trades and affording them a home and such employment as shall best tend to make them self-supporting and consequently independent, using therefor the best known means and appliances.

Sec. . The trustees shall not exceed five in number; said trustees shall be appointed by the Governor of the State of Illinois, with the advice and consent of the Senate, shall serve without compensation; their term of service shall be two years respectively, and until their successors are appointed and qualified; Provided, that three of said trustees shall be selected from members of the majority political party of this state, and the remainder from the minority political party or parties.

Sec. 4. Each of said trustees shall be paid his or her traveling expenses while in the service of the Home, out of the funds appropriated for its use, upon filing in the office of the Auditor of Public Accounts the voucher of said trustees, stating in detail the items of all such expenses, and the Auditor shall thereupon issue his warrant upon the State Treasurer in favor of such trustee for the amount thereof and charge the same to the fund appropriated to said institution.

Sec. 5. No trustee shall be directly or indirectly interested in any contract to be made by said trustee, nor shall any of them be appointed to, or employed in any office or position under their control or authority, to which a salary is attached.

Sec. 6. The said trustees shall have charge of the general interests of the Home, and shall annually by ballot elect a superintendent to serve during the will and pleasure of said trustees, who shall fix his salary, which shall not exceed fifteen hundred dollars a year, and he, with their consent, shall employ all necessary assistants, instructors

and other employes. The said trustees, or a majority of them, when regularly convened, shall constitute a board, which shall possess and exert all the powers of said trustees, and shall have power by ballot to elect a president, secretary and treasurer, the president and secretary to be selected from their own number, and said board shall prescribe the duties and fix the terms of service of said officers of said board.

Sec. 7. The superintendent shall exercise official control over all subordinate officers, instructors, assistants and employes, and shall be held responsible for their fidelity.

Sec. 8. Apprentices placed by their parents or guardians in the Home shall be required to conform to its rules and regulations.

Sec. 9. The board shall, annually, before December 15, report to the Governor of the State the number of applications received, persons admitted, instructed and discharged; also the progress made and work accomplished, and all other matters of general interest to the people of the State of Illinois in regard thereto, together with a full, explicit and detailed statement of all money received and disbursed during the year.

Sec. 10. The said trustees shall meet monthly during the first year, and at least quarterly thereafter, to examine and audit all the accounts of the Home, and make requisitions on the Auditor of Public Accounts for funds required for use during the succeeding month or quarter, from funds which have been appropriated for the establishment and maintenance of the Institution.

Sec. 11. The Auditor of Public Accounts is hereby authorized and required to draw his warrants on the Treasurer of the State for all sums which shall or may be appropriated and remain undrawn or unexpended, for the use of said institution, by the General Assembly, upon the order of the Board of Trustees of the Illinois Industrial Home for the Blind, when signed by the president and attested by the secretary of said board with the seal of said institution.

Sec. 12. The sum of one hundred thousand dollars is hereby appropriated for the purchase of lands, grounds or real estate in the County of Cook and State of Illinois, and for the purpose of erecting thereon suitable buildings, and fitting and furnishing the same appropriately for the Illinois Industrial Home for the Blind, and also for the purpose of conducting therein workshops for the manual training and employment of the blind, defraying the expenses of boarding the inmates while necessary, and the payment of its superintendent, instructors, assistants and employes, which sum of money is to be expended under the safeguards hereinbefore provided; Provided, at least the sum of sixty thousand dollars (\$60,000) shall be expended in the purchase of real estate and buildings for the use of said Industrial Home for the Blind, and no more than one thousand dollars (\$1,000) shall be expended in constructing and furnishing rooms for officers; Provided, further, no real estate shall be purchased until the title to the same shall have been examined by the Attorney General of the State.

This bill having remained with the Governor ten days (Sundays

excepted), the General Assembly being in session, it has thereby become a law.

Witness my hand this 13th day of June, A. D. 1887.

HENRY D. DEMENT,
Secretary of State.

PUBLIC LAWS OF ILLINOIS.

1871-72. Page 137.

An Act to create and support a state institution to be called "The Illinois Charitable Eye and Ear Infirmary," for the treatment of needy persons suffering from diseases of the eye or ear.

Whereas, The trustees of the Chicago Charitable Eye and Ear Infirmary, at their regular annual meeting, held January 3rd, Eighteen Hundred and Seventy-one, voted unanimously to transfer all the property belonging to said infirmary to the People of the State of Illinois, on the conditions stated in this act, to be held by the state in trust for the benefit of the poor of the state suffering from diseases of the eye or ear; therefore,

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the Governor is hereby directed to receive, in accordance with a form of conveyance approved by him, on conditions stated in Section 9 of this act, all the property belonging to the Chicago Charitable Eye and Ear Infirmary, together with all the records and accounts of said infirmary.

2. The board of trustees and officers of said infirmary to evidence their assent to this act and the transfer of the property of said infirmary to the state- shall make and enter in their record of proceedings, a minute, accepting this act according to its terms, and transferring to the State of Illinois all the property of said infirmary, a certified copy of which, approved by the Governor, shall be filed with the Auditor of Public Accounts; and said minute shall be a transfer of said property to the state.

3. On and after the passage of this act the name and title of said infirmary shall be "The Illinois Charitable Eye and Ear Infirmary."

4. The Governor, by and with the advice and consent of the Senate, is hereby directed to appoint a board of five trustees of said infirmary. Said trustees and their successors may elect, annually, from their number, a president, a vice-president, and a secretary; may appoint a treasurer and a board of skillful attending and consulting surgeons. It shall further be the duty of this board of trustees to receive, in the name of the state, all donations, gifts, bequests and moneys which may be obtained for said infirmary, and apply the same to the charitable purposes for which they may be received. An exact account of the donations, gifts, bequests and moneys thus obtained shall be rendered annually to the Governor. Said board of trustees may make such by-laws, rules and regulations for the government of themselves, their officers and said infirmary as shall seem to them expedient, not inconsistent with this act.

5. The board of trustees and the board of attending and consulting surgeons, appointed in accordance with this act, shall all perform their duties without remuneration.

6. When the certified copy of the minute making such transfer, provided for in Section 2 of this act, shall have been filed, the Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer, as follows: One, for five thousand dollars, on or before the tenth day of July, in the year of our Lord Eighteen Hundred and Seventy-one; and another, for the like amount of five thousand dollars, on or before the tenth day of July, in the year of our Lord Eighteen Hundred and Seventy-two—each to the order of the treasurer of the trustees of the infirmity, and to deliver such warrants to said treasurer for the support of said infirmity. The money so appropriated shall be expended for the support of needy patients from the State of Illinois suffering from diseases of the eye or ear, who shall present to the superintendent of the infirmity written certificates of their place of residence, and their absolute inability to pay for their board or treatment, signed by the supervisor of the town where they reside, or by their family physician.

7. An exact account of the manner in which this money drawn from the state treasury shall be expended, shall be printed in the annual reports of the infirmity. A statement of all the receipts and expenditures of the infirmity shall be made annually to the Governor.

8. The endowment fund, amounting to six thousand dollars, now held and owned by said infirmity, may be used, if said board of trustees shall determine, in the purchase of a lot or lots for the use of said infirmity.

9. When the General Assembly shall cease to make an appropriation for an annual amount equal to that specified in Section 6 of this act for the support and use of said infirmity, the property conveyed to the state shall revert to the trustees mentioned in Section 2 of this act, or their successors.

Approved April 17, 1871.

ILLINOIS.

An Act for the relief of the Blind. (Approved May 11, 1903.)

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That it shall be lawful for and obligatory upon any county to contribute such sum or sums of money from the charity or general funds toward the support of any blind person who may come under the provisions of this act.

2. *Benefit for Blind.* That all male persons over the age of twenty-one (21) years, and all female persons over the age of eighteen (18) years, who are declared to be blind in the manner hereinafter set forth, and who come within the provisions of this act, shall receive as a benefit one hundred and fifty dollars (\$150.00) per annum, payable quarterly, upon warrants properly drawn upon the treasurer of the county of which such person or persons are residents. (Amended by act approved June 25, 1915.)

3. *Who Not Entitled to Provisions of Act.* That no person or persons who are charges of any charitable institution of this state or any county or city thereof, or persons having an income of more than two hundred and fifty dollars (\$250.00) per annum, or persons who have not resided within the State of Illinois continuously for ten (10) consecutive years and in their respective counties three (3) years,

immediately before applying for said benefit, shall be entitled to the provisions of this act.

4. *Duty of Commissioners to Appoint Examiner of the Blind.* It is hereby made the duty of the Board of County Commissioners or Board of Supervisors in each county of this state, to appoint a regular practicing physician whose official title shall be "examiner of the blind," who shall keep an office open in some convenient place during the entire year for the examining of applicants for said benefit. (Amended by act approved June 25, 1915.)

5. *Duty of Examiner of the Blind—Certificate—Register—Compensation.* It is hereby made the duty of the examiner of the blind to examine all applicants for benefit, referred to him by the Board of County Commissioners or Board of Supervisors, and to endorse on the application a certificate to each applicant, showing whether he or she is blind or not. Said examiner shall keep a register in which he shall enter the facts contained in each certificate. He shall be paid from the county treasury for his services the sum of two dollars (\$2.00) for each applicant so examined.

6. *Applicants for Benefit—Affidavits—Duty of County Clerk.* All persons claiming the benefit provided herein may go before the County Clerk of their respective counties, and make affidavit to the facts which bring him or her within the provisions of this act, which shall be deemed an application for said benefits; two citizens, residents of the county, shall be required to make affidavits to the fact that they have known said applicant to be a resident of the county for the three years immediately preceding the filing of said application; the County Clerk shall immediately refer the application to the examiner of the blind for said county. (Amended by act approved June 25, 1915.)

7. *Register to Be Kept by County Clerk—Must Certify at Each Meeting to Commissioners—Time Payment Begins.* The County Clerk shall register the name, address and number of applicant, and date of the examination of each of the applicants who have been so determined to be entitled to said benefit, at each meeting of such County Commissioners or County Supervisors of the county, he shall certify to the County Commissioners or County Supervisors of the county, the name and residence of each applicant, so determined by the examiner to be entitled to said benefit, from and after the first day of the months of January, April, July and October thereafter, to be provided for as set forth in Section 8 of this article. (Amended by act approved June 25, 1915.)

8. *Duty of Commissioners, Etc., to Provide for Payment.* It is hereby made the duty of the Board of County Commissioners or Board of Supervisors of each county in this state to provide in the annual appropriation for the payment of persons so entitled to said benefit, who have complied with the provisions of this act, and to cause warrants on the County Treasurer to be drawn, properly endorsed, payable to each of said persons in said county each quarter in each year thereafter, during the life of said persons, while they are residents of said county or until said disability is removed. Said board shall also provide in the annual appropriation for payment of persons who may become entitled thereto during the year such sum as in their judgment

may be needed for such purpose. (Amended by an act approved June 25, 1915.)

9. *Penalty for False Affidavit.* Any person who shall make a false affidavit in order to secure the benefit herein provided, shall, upon conviction, be deemed guilty of perjury.

ILLINOIS.

(Abstract taken from the last United States Census.)

Board of Administration.

The general supervision of the blind is vested in the board of administration, which has control of state charities and charitable institutions. One member of the board must inspect the Illinois School for the Blind and the Illinois Industrial Home for the Blind, at least once a quarter. The board may employ teachers to instruct the adult blind in industrial pursuits at their homes, aid them to find employment and to market the products of their industry, and develop such occupations as tend to ameliorate their condition and make them self-supporting. (1913.)

Institutions for the Blind.

It is the duty of the charities commission to investigate the system, condition and management of the state institutions for the blind and report the same with recommendations to the Governor. The general inspection of each institution is vested in a board of visitors, composed of three persons, who are appointed by the Governor with the consent of the Senate, one member of the board being a woman. Each member is appointed to serve for six years without compensation other than necessary expenses. Each board must inspect its institution at least once each quarter, and maintain a record of the condition of the institution and its inmates and report to the charities commission. (1913.)

All blind persons residing in the state receive their board, tuition and treatment free at the state school for the blind; those desiring to pay for their education may do so. When there is room, blind residents from other states may enter the school, upon payment for their board, tuition and treatment. In all cases where a person sent to the school is too poor to furnish himself with clothing, and to pay expenses for traveling to and from the school, the county of his residence must pay the expenses, if the judge of the county court, upon application of any relative or friend of the blind person, thinks him a proper subject for the care of the institution. (1913.)

The object of the institution for the education of the blind is declared to be to promote the intellectual, moral and physical culture of the blind, and to fit them, as far as possible, for earning their own livelihood and for future usefulness in society; the object of the industrial home for the blind is set forth as to promote the welfare of the blind by teaching them trades and affording them a home and such employment as shall best tend to make them self-supporting and consequently independent, using therefor the best known means and appliances. (1913.)

Day Schools for the Blind.

Boards of education and school directors may establish and maintain classes and schools for the blind in cities; and the excess cost of

maintaining such classes and schools over the cost for schools for normal children is paid by the state, provided that this excess cost does not exceed the amount of \$160 per each blind pupil. (1913.)

Relief of the Needy Blind.

All males over the age of 21 years and females over the age of 18 years, who are declared blind by the examiner of the blind, not charges of any charitable institution, who have an income of \$250 a year or less, and who have resided in the state continuously for ten consecutive years and in their respective counties three years immediately before applying, are entitled to obtain a benefit of \$150 a year, payable quarterly, from the county of their residence, by order of the Board of County Commissioners or the Board of Supervisors. The Board of County Commissioners or Board of Supervisors in each county must appoint a regular practicing physician as examiner of the blind, who must keep an office open in some convenient place during the entire year for the examining of applicants for this benefit. All persons claiming the benefit may go before the County Clerk of their respective counties and make affidavit to the facts which bring them within these provisions, which will be considered an application for the benefit. Two citizens, residents of the county, are required to make affidavits to the fact that they have known the applicant to be a resident of the county for three years immediately preceding the application. The County Clerk is to refer the application to the examiner of the blind, who must examine all applicants and indorse on the application a certificate showing whether the applicant is blind or not. The examiner received a fee of \$2 for each applicant examined. (Laws 1915.)

INDIANA.

House Bill Uo. 234.

A Bill for an Act concerning the education of the blind in the state universities and the State Normal School.

Section 1. Be it enacted by the General Assembly of the State of Indiana, that whenever any blind person has matriculated in any of the departments of Indiana University, Purdue University or the Indiana State Normal School and shall make formal request therefor, it shall be the duty of the boards of trustees and the executive officers of such institutions to supply free of charge an assistant for at least three (3) hours per day for the purpose of reading to such student under the direction of the faculty of said institution.

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

Committee Report.

Mr. Speaker:

Your Committee on Education, to which was referred House Bill No. 234, has had the same under consideration and begs leave to report the same back to the House with the recommendation that the bill do pass.

KESSLER, Chairman.

INDIANA.

1915.

(Abstract taken from the last United States Census.)

Industrial Aid for the Blind.

The board of trustees of the school for the blind acts as a board of industrial aid for the blind. It is their duty to prepare and maintain a complete register of the blind in the state, which must describe the condition, cause of blindness, and capacity for educational and industrial training of each blind person, together with such other facts as may seem to the board to be of value. The board must act as a bureau of information and industrial aid, the object of which must be to aid the blind in finding employment and to teach them industries which may be followed in their homes, and to provide such means for the development of such industries and for the marketing of the products as may seem expedient. The board may establish schools for the industrial training of the adult blind and workshops for the employment of suitable blind persons, and is empowered to equip and maintain the same, to pay blind persons employed in the workshops suitable wages, and to devise means for the sale and distribution of the products. The board may also provide to pay for, during their training, temporary lodging and support for pupils or workmen received at any industrial school or workshop established by it. The board may ameliorate the condition of the blind by promoting visits among the blind in their homes for the purpose of instruction, and by such other methods as may seem to the board expedient, and by co-operating with the state library in facilitating the circulation of books for the blind. It is the duty of the board in making inquiries concerning the cause of blindness to learn what proportion of these cases are preventable and to co-operate with the State Board of Health in adopting and enforcing proper preventive measures. The State Treasurer is the custodian of all sums received by the board in accordance with these provisions, but they may use any receipts or earnings for the furtherance of the purpose of these provisions. The board also receives an annual appropriation of \$10,000 for this purpose. The board must make an annual report to the Governor and Legislature.

School for the Blind.

The general government and management of the Indiana School for the Blind is vested in a board of trustees consisting of four members appointed by the Governor for terms of four years. Not more than two members of the board may be members of the same political party. The members of the board receive an annual salary of \$300 for their services, and a sum not to exceed \$125 a year for their necessary expenses. The board must meet at least once a month and must make an annual report to the Governor. The school is declared to be purely an educational institution, and is not to be classed as benevolent or charitable. Upon application to the board, accompanied by a certificate from a justice of the peace that the applicant is a legal resident of the county in which it is claimed he resides, any blind person may be admitted to the school for the blind. In all cases where the parents, guardians or friends are able, they must pay for the necessary clothing

and for the traveling expenses to and from the school, and wherever the parents, guardians or friends of the pupils do not do so, the county from which they are sent pays such expenses. The county may collect this amount from the parents, when they are able to pay, but property to the amount of \$300 is exempt from such charges. Pupils from without the state may be admitted to the school on the payment of such sum as the board may consider sufficient to defray expenses. The superintendent of the school for the blind is required to provide for the industrial education of his pupils under similar rules and methods to those of the scholastic education. The industrial education must, as far as possible, be conducted so as to make the pupils fit and able to earn their own support when they leave the school. (1914.)

Compulsory Education.

Parents, guardians or other persons in the state having control or charge of any child, between the ages of eight and sixteen years, who is either totally blind or whose vision is so defective that he is unable to secure an education by sight, are required to send the child to the Indiana School for the Blind during the full scholastic term of that school, unless discharged therefrom or refused admittance thereto by the board of trustees; but if an application for admission to the school is rejected by the board of trustees, the parent, guardian or other person having charge of the child is exempted from any penalty.

The assessors of property are required to make a list of all the blind persons in their districts, setting forth the name, age and sex, and the names of the parents or guardians. Such lists are returned to the Bureau of Statistics, which in turn submits the list to the superintendent of the school for the blind. (1914.)

IOWA.

Supplement to the Code of Iowa.

Chapter 5-B.

Of the State Board of Education.

Section 2682-c. *How Constituted—Institutions Governed.* The State University, the College of Agriculture and Mechanic Arts, including the Agricultural Experiment Station, the Normal School at Cedar Falls and the *College for the Blind at Vinton*, shall be governed by a state board of education consisting of nine members, and not more than five of the members shall be of the same political party. Not more than three alumni of the above institutions and but one alumnus from each institution may be members of this board at one time.

Chapter 9.

Of the College for the Blind.

Section 2715. *Admission.* All blind persons, residents of the state, of suitable age and capacity, shall be entitled to an education in this institution at the expense of the state, and non-residents may also be entitled to the benefits thereof, if they can be accommodated therein, upon paying to the treasurer sixty-six dollars quarterly in advance.

Section 2717. *Report.* On or before the fifteenth day of August in each even-numbered year, the principal of the college shall report to the Governor the number of pupils in attendance, the name, age, sex, residence, place of nativity and cause of blindness, with the studies

pursued, trades taught, and a complete statement of the expenditures made, and the number, kind and value of articles manufactured and sold. Provided that the report for the year Nineteen Hundred and Six shall cover only the period from the date of the last biennial report.

Section 2718-c. *Blind and Deaf Children—Compulsory Education.* Children, residents of the state, between twelve and nineteen years of age, who are so deaf as to be unable to obtain an education in the common schools, and children of such age whose sight is so defective that they cannot attend the public schools, must attend the school for the deaf or the college for the blind during the scholastic year, unless exempted as hereinafter provided.

Supplemental Supplement to the Code of Iowa.

Chapter 10-A.

Of County Aid for the Blind.

Section 2722-i. *Board of Supervisors to Aid the Blind.* That it shall be lawful for any county to contribute such sum or sums of money from the poor fund toward the support of any blind person who may come under the provisions of this act.

Section 2722-j. *Financial Aid From the County.* That all male persons over the age of twenty-one years, and all female persons over the age of eighteen years, who are declared to be blind in the manner hereinafter set forth, and who come within the provisions of this act, shall at the discretion of the County Board of Supervisors, receive as a benefit one hundred and fifty dollars per annum, payable quarterly, upon warrants properly drawn upon the Treasurer of the county of which such person or persons are residents.

Section 2722-k. *Who Are Entitled to Relief.* That no person or persons who are charges of any charitable institution of this state, or any county or city thereof, or persons having an income of more than three hundred dollars per annum, or persons who have not resided within the State of Iowa continuously for five consecutive years and in their respective counties one year, immediately before applying for said benefit, shall be entitled to the provisions of this act.

Section 2722-l. *Examiner of the Blind—Appointment.* It is hereby made the duty of the County Board of Supervisors in each county in this state to appoint a regular practicing physician, whose official title shall be "Examiner of the Blind," who shall keep an office open in some convenient place during the first week of each year for the examining of applicants for said benefit.

Section 2722-m. *Duties of Examiner—Fee.* It is hereby made the duty of the Examiner of the Blind to examine all applicants for benefit referred to him by the County Board of Supervisors, and to endorse on the application a certificate to each applicant, showing whether he or she is blind or not. Said examiner shall keep a register in which he shall enter the facts contained in each certificate. He shall be paid from the county treasury for his services the sum of two dollars for each applicant so examined.

Section 2722-n. *Application for Relief—How Made.* All persons claiming the benefit provided herein may go before the County Clerk of their respective counties, and make affidavit to the facts which bring

him or her within the provisions of this act, which shall be deemed an application for said benefit; two citizens, residents of the county, shall be required to make affidavits to the fact that they have known said applicant to be a resident of the state for five years and the county for the one year immediately preceding the filing of said application; the County Clerk shall bring the same to the attention of the County Board of Supervisors, who shall refer the application to the Examiner of the Blind for said county.

Section 2722-o. *Duty of Clerk.* The County Clerk shall register the name, address and number of applicant, and date of the examination of each of the applicants who has been so determined to be entitled to said benefit, and each year, on or before the fifteenth day of January, he shall certify to the County Board of Supervisors the names and residences of each applicant.

Section 2722-p. *Duty of Board of Supervisors.* It is hereby made the duty of the County Board of Supervisors of each county in this state to cause warrants on the County Treasurer to be drawn, properly endorsed, payable to each of said persons in said county each quarter in each year thereafter, during the life of said persons, while they are residents of said county or until said disability is removed.

IOWA.

1913.

(Abstract taken from the last United States Census.)

Census of the Blind.

The County Assessors record the names, ages, sex and addresses of the blind in their jurisdiction and return the records to the Board of Education.

KANSAS.

1917.

Be it enacted by the Legislature of the State of Kansas:

Section 1. That whenever a blind person who has been an actual resident of the state for five years next preceding, and a pupil in actual attendance at a college, university, technical or professional school located in this state, and authorized by law to grant degrees, other than an institution established for the regular instruction of the blind, who shall be designated by the Board of Administration as a fit person to receive, and as one who ought to receive, the aid hereinafter provided for, it shall employ persons to read to such pupils from textbooks and pamphlets used by such pupil in his or her studies at such college, university or school; provided, that the Board of Administration shall not expend for this purpose for the use of any one such pupil to exceed \$300 per annum.

Section 2. That the Board of Administration is hereby authorized and empowered to select such persons as are entitled to the benefits of this act in the several colleges, universities or schools; provided that the Board of Administration shall not furnish a reader to any blind person who is not regularly matriculated, who is not in good and regular standing, who is not working for a degree from the institution in which he or she is matriculated, and who is not doing the work regularly prescribed by the institution for the degree for which he or

she is a candidate; and after making such selection the Board of Administration is authorized to name and designate some suitable and capable person to read to such blind pupil from textbooks and pamphlets used by him or her in studies in such college, university or school, and to fix the pay to be received by such reader for such services; provided, that no reader shall receive for his services to exceed the sum of \$300 in any one year.

Section 3. That there is hereby appropriated from any money in the treasury not otherwise appropriated for the purposes hereinbefore indicated, for the fiscal year ending June 30, 1916, \$750, and for the fiscal year ending June 30, 1917, \$750.

Be it enacted by the Legislature of the State of Kansas:

Section 1. That Section 1 of Chapter 149 of the Session Laws of the State of Kansas of 1913 be amended so as to read as follows: Sec. 1. That the Board of County Commissioners of any county in the State of Kansas is hereby authorized and empowered in their discretion and by unanimous vote, to pay a monthly pension, not to exceed fifty dollars per month, to any person over the age of twenty-one years who has lost both hands or both feet, or both eyes, or otherwise wholly disabled from performing any manual labor, and whose parents or near relatives are not financially capable of caring for them, provided such person has been a resident of the State of Kansas for ten years, and of the county wherein such pension is applied for two years previous to the date of application for pension, or was an actual resident of the state at the time such person became disabled.

KANSAS.

(Abstract taken from the last United States Census.)

School for the Blind.

The State Board of Administration has charge of the management and control of the Kansas School for the Blind. In all cases where the friends of any blind pupil in the state either neglect or are unable to supply the pupil with clothing and sufficient funds to enable him to attend the school for the blind, the overseer of the poor in the township in which he resides must investigate the case. Upon approval by the overseer, the county of the blind pupil's residence must provide him with clothing and necessary traveling expenses to and from the school, but such expenses must not exceed \$50, in addition to the actual traveling expenses for any pupil. Non-residents are not admitted into the school unless the Board of Administration orders their admission because their legal residence can not be ascertained or there are other peculiar circumstances that constitute a sufficient reason for the suspension of the rule. (Laws 1913.)

Compulsory Education.

Every parent, guardian, corporation, association or person having control of a blind person between the ages of 7 and 21 years must send such person to some suitable school where the blind are educated. The truant officer enforces this provision and a penalty is provided for failure to comply with it. (1909.)

Census of the Blind.

The assessors of the respective townships must take an annual census of the blind, which includes their age, sex and color, and names and addresses of their parents and guardians. The census is taken together with one of manufactures, agriculture, the deaf and dumb, insane and idiotic. (1909.)

KENTUCKY

1912

Article V.

Kentucky Institution for the Education of the Blind.

Section 299. *Corporate Powers Of.* That the school heretofore established and known as the "Kentucky Institution for the Education of the Blind," located within the City of Louisville, shall be and continue as a corporation in that name and style, with power and right to sue and be sued, plead and be impleaded, in any and all Courts of Justice in the United States of America, or elsewhere, in all cases in which the right or interest of said institution is involved; and said institution may receive, take or hold real or personal estate, by gift, devise or purchase, and dispose of the same for the use and benefit of said institution and may have a common seal, or act without a corporate seal.

Sec. 300. *Visitors—Board Of—Appointment How Filled—Oath.* That said institution shall be under the control, direction and management of nine citizens of Jefferson County as visitors, who shall hold their office for four years, and until their successors are appointed and qualified. The said visitors shall be nominated by the Governor and approved by the Senate; and in case of any vacancy in the board of visitors by death, resignation, removal from the County of Jefferson, or any other cause, the Governor shall be informed of such vacancy by the president or secretary of the board of visitors, and the Governor shall appoint some competent person to supply or fill the vacancy for the remainder of the term of the office of the visitor who may cease to be a member of said board; and such appointment shall be reported by the Governor to the Senate at the next meeting of the General Assembly after such appointment, for confirmation. Should the Senate reject any nomination made by the Governor, under this act, he may make other nominations to the Senate, so that said board of visitors shall be full at all times. The said visitors shall be commissioned by the Governor, and shall take the oaths of office required by the Constitution of this State, and to "well and truly discharge the duties of the office of visitor as required by this act." The Governor shall appoint said board of visitors as soon as this act becomes a law.

Sec. 301. *Powers and Duty of Board—Admission of Pupils—Superintendent—Treasurer.* That the board of visitors, or majority, shall appoint from their own body a president at their first meeting, who shall preside at the meeting of said board, and do and perform other duties required of him by the by-laws, rules or regulations, or orders of said board; and said board shall appoint a secretary to keep a regular record of their proceedings, and to perform any other duties the board may require of him. The said board of visitors may receive, by legacy or otherwise, money, land and other property, and use, retain and apply

the same to the use and benefit of said institution. The board of visitors shall have the possession, preservation, repairs and control of the building and ground belonging to this State, dedicated to the education of the blind in the City of Louisville. And said board of visitors shall have the direction, control and management of the special and general matters, concerns and interest of said property and institution, may employ a superintendent, a physician, matron, professors, teachers, servants and all other necessary agents and employes, and fix their pay or compensation for their services; prescribe and direct their duties and conduct: remove at their pleasure any superintendent, matron, professor, teacher, servant, agent or employe, and prescribe the course of education for the pupils in said institution and rules for their government and discipline, and fix and regulate tuition fees and terms of admission of pupils into said institution from other States; but no charge shall be made for the admission of pupils from this State. The said board of visitors shall have power to pass such by-laws, rules and regulations, resolutions, orders, instructions, as a majority of said board shall consider fit and proper to carry into effect and force the powers herein granted, and may repeal, amend or annul any such acts or proceedings and adopt others to effectuate the objects of the said institution. The said board of visitors shall meet at least once in each month of each year, at any place in the City of Louisville, and may meet oftener, if necessary, to transact the business committed to their charge; and the president or any two members of the said board may call a meeting of the board. In the absence of the president, the board may elect a president pro tem., and may supply the place of a secretary, when he is absent, in the same manner.

The said board of visitors shall require from the superintendent, annually, a full and detailed statement of the condition of said institution, the name of each employe, including matron, professors, teachers, servants and agents; the pay or salary of each, annually or monthly; the number and names of pupils, the residence of each, the number of pay pupils, the amount paid by them, and a full account and statement of the receipts from all sources and expenditures and outlays of the institution in the preceding year; and may require from the superintendent any other information or facts within the duties prescribed by the board of visitors to him. The said board of visitors shall elect a treasurer for said institution, who shall, before he enters upon the duties of his office, execute bond, with good security, to be approved by the Governor of this State, payable to the Commonwealth of Kentucky in the penal sum of twenty thousand dollars, conditioned well and truly to discharge the duties of the office of treasurer of the "Kentucky Institution for the Blind," and pay over and account for all money, and to account for and deliver all property or evidence of debt or of value placed in his hands or possession as treasurer of said institution, on the order of the board of visitors, which bond may be enforced and recovery had on a breach thereof by motion or action at law, as in case of official bonds of sheriffs within the Commonwealth, and shall be delivered to the Auditor of Public Accounts for safe keeping.

Sec. 302. *Institution to Remain Under Legislative Control.* That said institution and its control, direction, management, property, means

and officers and employes shall be, and remain at all times, subject to the control and pleasure of the General Assembly of this Commonwealth; and the Governor shall have a supervisory power and right of visitation over the same.

Sec. 303. *Treasurer—Payment of Claims—Record to Be Kept.* That the treasurer of said institution shall only pay the debts, claims and charges against said institution, on warrants of the president, after they have been examined, audited and approved by said board of visitors, at a meeting of the majority of the members thereof, which examination and approval shall be certified by the president of said board and countersigned by the secretary; and each claim shall be noted or named on the journal of the proceedings of said board, giving the date, amount and name of the person to whom allowed. The said treasurer shall annually, in the month of November, settle with the Auditor of Public Accounts for the receipts and disbursements during the preceding year, and shall file with the Auditor a statement of said accounts and the vouchers for the same; and the Auditor shall furnish and deliver to said treasurer a written statement, signed by the Auditor; and said treasurer shall furnish to the said board of visitors an annual written statement of his account immediately after settling the same with the Auditor. The statement of the Auditor shall be a sufficient voucher to the Treasurer.

Sec. 304. *Report of Condition of Institution to Be Made Annually.* That the board of visitors shall annually report to the Governor, for the purpose of being laid before the General Assembly, a general statement of the condition of said institution accompanied with the statements required to be furnished to said board by the superintendent and treasurer, so that the Legislature may be informed of all matters connected with said school and its wants, prospects and benefits. The treasurer may be removed from office at the pleasure of a majority of the members of the board of visitors and another elected to supply the vacancy; and the vacancy in the office of the treasurer may be filled by said board at any time.

Sec. 305. *Pupils—Expulsion and Punishment.* That the board of visitors shall alone have the power to expel a pupil from said institution and no officer of said institution, or employe thereof, shall be permitted to inflict corporal punishment upon any of said pupils.

Sec. 306. *Appropriation Heretofore Made to Continue.* That to enable said board of visitors to defray and pay the expenses of said institution, and provide the necessary supplies of food, clothing and other proper and necessary things, the annual appropriation heretofore made for said institution shall be continued to be drawn as heretofore authorized by the law.

Sec. 307. *Pupils—Term of Meritorious May Be Extended.* That the board of trustees of the Kentucky Institution for the Education of the Blind are hereby authorized to extend, at their discretion, the school term of such meritorious pupils as are worthy of larger instruction in literature, music and mechanical arts.

Sec. 308. *Appropriation Allowed for Each Pupil.* That the annual allowance for the support and education of the State pupils in said in-

stitution be increased from and after the thirty-first day of March, 1856, to one hundred and forty dollars for each pupil.

Sec. 309. *Appropriation—Annual Fifteen Thousand Dollars.* That the annual appropriation for the support of said institution be, and hereby is, increased from six thousand to ten thousand dollars. (By Act of March 17, 1906, the annual appropriation was increased from ten thousand to fifteen thousand dollars.)

Sec. 310. *Appropriation—Annual for Colored Children.* That the further sum of three thousand dollars be, and the same is hereby, appropriated, to be paid annually in equal quarterly installments, for the sole and exclusive use of the colored blind children of this Commonwealth, which money shall be expended in a similar manner and under the same limitations that the money appropriated for the use of the white blind children in said institution is now expended; provided, however, that no portion of the sums hereby appropriated shall be paid until the building aforesaid is completed and paid for, and ready for the use and occupation of the colored blind children of this Commonwealth, and of this fact the Auditor of Public Accounts is first duly certified in writing by the president and secretary of the board of visitors of the Kentucky Institution for the Education of the Blind.

Sec. 311. *Colored Children—Provisions for Education.* That the blind children aforesaid, when such buildings shall have been erected, shall be entitled to receive on equal terms their due proportion, according to numbers, of rights, benefits, and privileges secured to the white blind children of this Commonwealth by the act establishing the Kentucky Institution for the Education of the Blind; provided, however, that the blind children of both races shall be under the same general management and under one and the same superintendent, who, with all other officers of said institution, shall be elected by, and subject in all respects to the supervision and control of, the board of trustees of said institution as heretofore provided by the law.

An Act for the benefit of the Kentucky Institution for the Education of the Blind.

An Act for the benefit of the Kentucky Institution for the Education of the Blind by making an appropriation therefor and providing for the periods of payment.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. That the annual appropriation to the Kentucky Institution for the Education of the Blind be and the same is hereby increased from \$15,000 to \$20,000 annually.

2. That the Auditor is hereby authorized and directed to draw his warrant in favor of the treasurer of the Kentucky Institution for the Education of the Blind quarterly upon the treasurer of the Commonwealth in advance, to-wit: that a warrant for the first two quarters of the year 1912 shall be issued for \$10,000 on April 1, 1912, and subsequently a warrant on the 1st day of July for \$5,000 and on the 1st day of October for \$5,000 and on the 1st day of the following January for \$5,000 and so thereafter for the succeeding quarters, a warrant for \$5,000.

3. All acts or parts of acts in conflict herewith are hereby repealed.

4. An emergency is hereby declared to exist and this act shall become effective on and after its passage and approval at the hands of the Governor.

(Approved by the Governor, March 12, 1912.)

The above is a true copy of the act for the benefit of the Kentucky Institution for the Education of the Blind.

June 10-12.

Attested. Frank K. Kavanaugh.

AN ACT to amend an act entitled "An Act to Incorporate the Kentucky Institution for the Education of the Blind, and to Provide for the Regulation Thereof: (1914)

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. That Section 300 of the Kentucky Statutes, which is in the following words and figures, to-wit:

"300. *Visitors—Board of—Appointment, How Filled—Oath.* That said institution shall be under the control, direction and management of nine citizens of Jefferson County as visitors, who shall hold their office for four years and until their successors are appointed and qualified. The said visitors shall be nominated by the Governor and approved by the Senate; and in case of any vacancy in the board of visitors, by death, resignation, removal from the County of Jefferson, or any other cause, the Governor shall be informed of such vacancy by the president or secretary of the board of visitors and the Governor shall appoint some competent person to supply or fill the vacancy for the remainder of the term of the office of the visitor who may cease to be a member of said board, and such appointment shall be reported by the Governor to the Senate, at the next meeting of the General Assembly after such appointment, for confirmation. Should the Senate reject any nomination made by the Governor, under this act, he may make other nominations to the Senate, so that said board of visitors shall be full at all times. The said visitor shall be commissioned by the Governor, and shall take the oaths of office required by the Constitution of this State, and to well and truly discharge the duties of the office of visitor as required by this act. The Governor shall appoint said board of visitors as soon as this act becomes a law,"

Be amended to read as follows:

"That said institution shall be under the control, direction and management of five citizens of Jefferson County, as visitors, who shall hold their office for four years, or until their successors are appointed and qualified. The said visitors shall be nominated by the Governor and approved by the Senate; in case of any vacancy in the board of visitors by death, resignation, removal from the County of Jefferson or any other cause, the Governor shall be informed of such vacancy by the president or secretary of the board of visitors and the Governor shall appoint some competent person to supply or fill the vacancy for the remainder of the term of the office of the visitor who may cease to be a member of said board; and such appointment shall be reported by the Governor to the Senate at the next meeting of the General Assembly after such appointment, for confirmation. Said visitors shall be commissioned by the Governor and shall take the oath of office required by the Constitution of this State and to well and truly discharge the

duties of the office of visitor as required by this act.' The Governor shall appoint said board of visitors of five as soon as this act becomes a law."

2. The superintendent of the institution shall at all times be a person with experience and training in the education of the blind, and no person who shall not have had at least five years experience in the education and training of the blind shall be appointed superintendent of said institution.

3. For cause at any time, the Governor of the State shall have the right to remove any trustee from office as such visitor, and appoint a successor to such person so removed and shall report the facts concerning such removal and such appointment to the next General Assembly.

LOUISIANA

(Abstract taken from the last United States Census.)

School for the Blind.

1915

The Louisiana State School for the Blind at Baton Rouge is governed by a board of trustees composed of seven resident citizens of the State and the Governor, who is ex officio president of the board. The members are appointed by the Governor for terms of four years and serve without pay other than the expenses of their meetings, which must be held at least once every four months. The institution provides, according to the law, all the requisite facilities for acquiring a good literary education, and an industrial department, in which instruction is given in such trades as are best suited to render the pupils self-sustaining citizens.

All residents between the ages of 7 and 22 years, blind, or of such defective vision as not to be able to acquire an education in the ordinary schools, are admitted to the State institution if they are of sound mind and body.* Such persons receive instruction, board, lodging and medicine and medical attendance at the expense of the State, and if in such indigent circumstances as to render it necessary, are also furnished with clothing and traveling expenses to and from the institution. Persons admitted as pupils under 14 years of age may continue in the institution ten years; if over 14 and under 17 years of age, they may continue eight years; and if over 17 years of age, they may continue five years. The board may in any case extend the term two years.

Census of the Blind.

1908.

The assessors of the parishes must make an enumeration of the names, ages, and sex of all blind children between the ages of 6 and 18 years, in their respective parishes, and furnish to the State board of education one of these lists.

MAINE

1913

Chapter 46, Sec. 116. Upon the request of the parents or guardians, the Governor may, with the approval of the council, send such blind

*According to the superintendent of the Louisiana State School for the Blind, only white pupils are admitted to the school.

children as he may deem fit subjects for education, for a term not exceeding ten years, and thereafter in the discretion of the Governor and council, in the case of any pupil, to the Perkins Institute for the Blind at South Boston, Massachusetts, provided, however, that when the authorities in charge of said Perkins Institute for the Blind shall refuse for any reason to admit such blind children to said institute then the Governor may, with the approval of the council, send such children so refused to any institution for the blind wherever located. In the exercise of the discretionary power conferred by this section, no distinction shall be made on account of the wealth or poverty of the parents or guardians of such children. No such pupils shall be withdrawn from such institution except with the consent of the proper authorities thereof or of the Governor; and the sums necessary for the support and instruction of such pupils in such institution, including all traveling expenses of such pupils attending such institution shall be paid by the state; provided, however, that nothing herein contained shall be held to prevent the voluntary payment of the whole or any part of such sums by the parents or guardians of such pupils.

MAINE

Relief for the Needy Blind.

1915

All persons over the age of 21 years who are declared to be blind in the manner provided by law, and who come within the provisions of the law, may, at the discretion of the Governor and council, receive as a benefit \$200 a year, payable quarterly upon warrants drawn on the State treasurer.

No one who is a charge of any charitable or penal institution of the State, or of any charitable or penal institution of any country or city of the State, or who has an income of more than \$300 a year, or who is able to earn the same, or who has not resided within the State continuously for ten consecutive years, and in his county for one year immediately before applying for the benefit, is entitled to it.

Persons claiming the benefit may go before the city, town or plantation clerk where they reside and make affidavits to the facts which bring them within these provisions, and the affidavit will be considered an application for the benefit. The city, town or plantation clerk must transmit the affidavit, together with the affidavit of two witnesses, residents of the same county, as to the place and time of residences of the applicants, to the municipal officers of the city, town or plantation where the blind persons reside. There must be appointed by the municipal officers of the cities, towns and plantations of the State a regular practicing physician whose official title is examiner of the blind, who must have an office in some convenient place in the city, town or plantation during the first weeks of June and December of each year for the examination of applicants. All applications are forwarded to the examiners, who must make a record of them, and endorse on them whether or not the persons are blind and needy; for this they receive a fee of \$2 for each application, from the county treasury. The name and residence of all applicants entitled to the benefits are certified to the Governor and council twice each year by the municipal officers, and it is made the duty of the Governor and council to cause \$50 to be paid to

such persons every three months during the life of the person while he is a resident of the State, or until the disability is removed.

Any person making a false affidavit in order to secure this benefit is, upon conviction, deemed guilty of perjury, and is subject to the penalty provided by law for such cases.

Exemption of the Blind.

1907

The blind are specially exempted from paying poll taxes, and from the penalties of the laws applying to tramps.

MAINE

(Abstract taken from the last United States Census.)

Education of the Blind.

1913

The Governor, with the approval of the council, and upon request of the parent or guardian, may send any blind child, whom he may think a fit subject for education, as a State beneficiary to the Perkins Institute for the Blind at South Boston, Mass., for a period not to exceed ten years. In the discretion of the Governor and Council this period may be extended. If for any reason the child is refused admittance to the Perkins Institute, the Governor and council may send the child so refused to any other blind institution. No child, so sent, may be withdrawn from any institution without the consent of the authorities of the institution or of the Governor. In the choice of such a State beneficiary no distinction may be made on account of the wealth or poverty of the parents or guardians of the child. The State pays for his support and instruction, and his traveling expenses to and from any institution to which he is sent. The parent or guardian of any such child is not prevented from voluntarily paying the whole or part of the expenses.

1907

The State makes an annual appropriation for the Maine Institution for the Blind, a private institution. The original appropriation in 1907 provides that blind or partially blind residents of the State over 18 years of age shall receive practical instruction for a period not exceeding three years, in some useful occupation conducive to their self-support. Temporary support may be provided for any workmen or pupils and means may be devised to facilitate the circulation of books, to promote visits among the aged or helpless blind in their homes, and to help them in other ways; but the permanent maintenance of any blind person at the expense of the State is forbidden.

MARYLAND

An Act to incorporate the Maryland Institution for the Instruction of the Blind.

Passed May 19th, 1853.

Section 1. Be it enacted by the General Assembly of Maryland, That J. Smith Hollins, Jacob I. Cohen, Jr., John N. McJilton, John Glenn, William George Baker and Benjamin F. Newcomer, and such other persons as shall become members of the Institution hereby created, and their successors, be, and they are hereby created a corporation, by the name of the Maryland Institution for the Instruction of the Blind, and

by that name may sue and be sued, answer and defend in any court of law or equity, and may ordain and establish such by-laws, rules and regulations as shall appear necessary or proper for conducting the concerns of said corporation, and shall not be contrary to law, and the same to alter and renew at pleasure, and may have and use, and at pleasure change, a common seal, and generally may do any act or thing necessary or proper to carry into effect the provisions of this act and to promote the design of the corporation.

Sec. 2. And be it further enacted, That the object of said corporation shall be the instruction of the blind.

Sec. 3. And be it further enacted, That the said corporation shall have the power of receiving donations, subscriptions, devises and legacies of real or personal estate and money, and to purchase and hold real and personal property, in trust or otherwise, for the promotion of the objects of the corporation.

Sec. 4. And be it further enacted, That the Board of Directors shall consist of nine persons, who shall be elected annually by the corporate members of said institution, on the first Monday of January; but in case no election shall then take place, the directors then in office shall continue to hold over until a new election shall take place; provided, however, that the nine persons above named be and they are hereby constituted the Directors of the Institution, to serve until the first annual election.

Sec. 5. And be it further enacted, That in case of death, resignation or removal from the State of any of said Directors, the remaining Directors shall have the power of filling such vacancies, until a new election of the others shall be held by the corporation.

Sec. 6. And be it further enacted, That nothing in this Act contained shall be so construed as to authorize said corporation to issue any note, token or other evidence of debt, to be used as currency; and the Legislature hereby reserves to itself the right to alter, amend or repeal this Act at pleasure.

Sec. 7. And be it further enacted, That this Act shall take effect from the date of its passage.

MARYLAND

Amendments to Charter.

Act 1854. Chapter 67.

An Act to amend the charter of the Maryland Institution for the Instruction of the Blind, passed at January session, 1853.

Sec. 1. Be it enacted by the General Assembly of Maryland, That the Maryland Institution for the Instruction of the Blind is hereby authorized to increase its Board of Directors to a number not exceeding eighteen persons.

Sec. 2. And be it enacted, That the present Board of Directors shall have the power of electing additional members of the board to serve until the next general election.

Sec. 3. And be it enacted, That the Board of Directors be invested with the same powers and elected in the same manner as originally provided for in the charter.

Sec. 4. And be it enacted, That this act shall take effect from the date of its passage.

Act 1886. Chapter 481. Page 796.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 1 of an Act passed at January session, 1853, Chapter 203, entitled "An Act to incorporate the Maryland Institution for the Instruction of the Blind," be and the same is hereby amended by changing the name of said corporation from the Maryland Institution for the Instruction of the Blind to "The Maryland School for the Blind."

Amendments to Code.

Acts 1892. Chapter 272. Page 377.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 3 of this Article XXX of the Code of Public General Laws of Maryland, title "Deaf, Dumb and Blind, Education of," be and the same is hereby repealed and re-enacted so as to read as follows:

Section 3. A sum not exceeding \$21,000 shall be annually appropriated to be applied under the direction of the Governor, in placing for instruction in the Maryland School for the Blind, formerly known as the Maryland Institution for the Instruction of the Blind, such indigent blind persons of the age of seven years and upwards, inhabitants of the State, and of the county or city from which they are recommended, as may be recommended to the Governor by the county commissioners of each county, or by the judges of the Orphans' Court of Baltimore City.

MARYLAND

Compulsory Education Law: Laws of Maryland, 1906.
Ch. 236, p. 356.

An Act to amend Article 77 of the Code of Public General Laws, title "Public Education," by repealing and re-enacting Chapter 299 of the laws of 1904, which added to said Article, Section 139, 140 and 141, under the sub-title "School Attendance," and by adding a new section to be numbered as Section 142.

Section 1. Be it enacted by the General Assembly of Maryland, That the Sections 139, 140 and 141, of Article 77 of the Code of General Laws, title "Public Education," under the sub-title "School Attendance," are hereby repealed and re-enacted as follows, and that a new section be added to follow Section 141, to be numbered and designated as Section 142.

139. Every deaf or blind child between six and sixteen years of age shall attend some school for the deaf or blind for eight months, or during the scholastic years, unless it can be shown that the child is elsewhere receiving regularly thorough instruction during the said period, in studies usually taught in the said public schools to children of the same age; provided, that the superintendent or principal of any school for the deaf or blind, or person or persons duly authorized by such superintendent or principal, may excuse cases of necessary absence among its enrolled pupils; and provided further, that the provisions of this section shall not apply to a child whose physical condition is such as to render its instruction, as above described, inexpedient or impracticable. Every person having under his or her control a child between

six and sixteen years of age shall cause such child to attend school or receive instruction as required by this section.

139a. Provided that where the parent, guardian or any other person having control of a deaf or blind child is not financially able to pay for the transportation of the child to and from such school, the same shall be paid out of the State appropriation for the school which the child attends; provided, that three reputable male citizens over the age of twenty-one years, residents of the school district in which the said child resides, shall certify under oath that to the best of their knowledge and belief, the parent, guardian or other person having control of such child is not financially able to pay the expense of the child to and from school.

140. Any person who has such a child under his or her control, and who fails to comply with any of the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before a justice of the peace, be fined a sum not exceeding five dollars for each offense.

141. Any person who induces or attempts to induce any deaf or blind child to absent himself or herself unlawfully from school or employs or harbors any such child absent unlawfully from school, while said school is in session, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before a justice of peace, be fined a sum not exceeding fifty dollars for each offense.

142. The principal teacher of every public school in the counties and the truant officers of the city of Baltimore shall, within thirty days from the beginning of the school year succeeding the passage of this act, furnish the Board of County School Commissioners or the Board of Education of Baltimore City, as the case may be, with the names of all children who are deaf, blind or feeble-minded, between the ages of six and sixteen years, inclusive, living within the boundaries of his or her school district who do not attend school. And the Board of County School Commissioners or Board of Education of Baltimore City shall certify forthwith the names of all such deaf, blind or feeble-minded children to the respective principals of the State schools for such children.

Sec. 2. And be it enacted, That this Act shall take effect from the date of this passage.

Approved March 31, 1906.

MARYLAND

Appendix—Laws of Maryland, 1906.

Chapter 290.

A bill entitled an act to provide for the appointment of a commission to investigate the condition of the Adult Blind in the State of Maryland, and to report on the expediency of the establishment by the State of institutions for them, and making an appropriation for the necessary expenses of said commission and assistance for certain classes of blind people pending said report.

Section 1. Be it enacted by the General Assembly of Maryland, That within sixty days after the passage of this Act the Governor shall appoint a commission of five persons, who shall serve without pay, and who shall be known as "The Commission for Improving the Condition of the Adult Blind in the State of Maryland."

Sec. 2. And be it enacted, That it shall be the duty of this Commission to secure a complete list of all blind persons in the State of Maryland, and make a record of their names, ages and financial condition, together with the cause and extent of their blindness, their capacity for educational and industrial training, and such other facts as may seem of value; and that on or before the 1st day of December, 1907, they shall file with the Governor a full report of their findings, together with such recommendations for improving the condition of the adult blind in this State as may seem to them advisable.

Sec. 3. And be it enacted, That the commission may aid those adult blind whom they consider worthy in finding employment, and in furtherance thereof they may furnish material and tools to an amount not exceeding \$50 to any one individual, and they may place in a home or homes such indigent blind as appear to them worthy women and to have no other means of support; provided, however, that the total expenditure on any such woman shall not exceed two hundred dollars per annum.

Sec. 4. And be it enacted by the General Assembly of Maryland, That the sum of \$1,500 annually, for the fiscal year of 1907 and 1908 be and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

Approved April 6, 1906.

LAWS OF MARYLAND, 1908.

Page 98, Art. 30, Chap. 566.

An Act to establish a workshop for the employment of blind men and women and making an appropriation therefor.

Section 1. Be it enacted by the General Assembly of Maryland, That there shall be maintained in Baltimore City, Maryland, a Workshop for the Blind.

Sec. 2. And be it enacted, That the general supervision and control of said workshop shall be vested in a board of five trustees, three of whom shall be appointed by the Governor, by and with the advice of the Senate, and two shall be elected by the Board of Directors of the Maryland School for the Blind; and the term of the members of said board shall be for a period of two years from the date of their appointment or until their successors shall have been appointed and qualified. And whenever a vacancy shall occur on said board it shall be filled for the unexpired term by vote of the said members of the board remaining.

Sec. 3. And be it enacted, That said Board of Trustees shall constitute a body corporate under the name and style of "The Maryland Workshop for the Blind," with the right to acquire and hold property, real, personal and mixed in any manner whatsoever; to sue and be sued; and to make and use a common seal with the right to alter and change the same at any time. The board shall organize immediately upon its appointment and qualification and elect one of its members chairman and another as treasurer. It shall also have the power to elect any of its members to serve as chairman whenever it is inconvenient or impossible for the regularly elected chairman to serve. It is also empowered to hire a secretary and other necessary employees, and to fix their compensation.

Said workshop shall be open for the labor and manufactures to all blind citizens of Maryland over 18 years of age who can give satisfactory evidence of character and of their ability to do the work required of them. All the profits arising from the operation of the shop shall be used in furthering its usefulness.

Sec. 4. And be it enacted, That said board shall acquire suitable quarters by lease, purchase or otherwise in Baltimore City aforesaid, and shall have full power to establish, maintain and direct and supervise all matters pertaining to the workshop, its maintenance and regulation, including the purchase of all machinery and materials as may seem to them suitable and necessary, and the barter or exchange of articles or manufactures entrusted to them for disposal.

Sec. 5. And be it enacted by the General Assembly of Maryland, That the sum of five thousand dollars annually for the fiscal years 1909 and 1910 be, and the same is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated.

Approved April 8, 1908.

Also: Laws of Maryland, 1910, Chapter 409, Section 95.

Laws of Maryland, 1912, Chapter 93, Section 74.

Appropriating \$10,000 for the fiscal years 1911, 1912, 1913, 1914,

1911

Upon recommendation by the county commissioners or the judge of the Orphans' Court of Baltimore City, the Governor may send any indigent blind person, resident of the State and of the county or city from which they are recommended, to the Maryland School for the Blind (a private institution, closely connected with the state, for the instruction of blind white and blind and deaf colored children). The state appropriates a sum of money not to exceed \$350 annually for each such blind persons.

MASSACHUSETTS.

1908.

Acts of 1899, Chapter 13.

Resolve Relative to the Instruction of the Adult Blind.

Resolved, That the State Board of Education is hereby directed to inquire into the feasibility of instructing the adult blind at their homes, and to report the result of its investigations, with such recommendations as it may deem proper, to the next general court.

Approved March 1, 1899.

Acts of 1900, Chapter 430.

An Act to provide for the instruction of the adult blind at their homes by the Perkins Institution and Massachusetts School for the Blind.

Be it enacted, etc., as follows:

Section 1. There shall be allowed and paid out of the treasury of the commonwealth a sum not exceeding one thousand dollars, to be expended by the Perkins Institution and Massachusetts School for the Blind, for the instruction of the adult blind at their homes; but no expenditures shall be made under this act until the plans for such instruction have received the approval of the State Board of Education.

It shall be the duty of the institution aforesaid to make a report to the State Board of Education of its doings under this act.

Sec. 2. This act shall take effect upon its passage.

Approved July 5, 1900.

Acts of 1901, Chapter 98.

Resolve to provide for the instruction of the adult blind at their homes by the Perkins Institution and Massachusetts School for the Blind.

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding thirty-six hundred dollars, in addition to the unexpended balance of the appropriation authorized by Chapter 430 of the acts of the year 1900, to be expended by the Perkins Institution and Massachusetts School for the Blind for the instruction of the adult blind at their homes. It shall be the duty of the said institution to make a detailed report to the State Board of Education of the expenditures under this resolve.

Approved June 10, 1901.

Acts of 1902, Chapter 297.

An Act to provide for the instruction of the adult blind at their homes by the Perkins Institution and Massachusetts School for the Blind.

Be it enacted, etc., as follows:

There shall annually be allowed and paid out of the treasury of the commonwealth a sum not exceeding five thousand dollars, to be expended by the Perkins Institution and Massachusetts School for the Blind for the instruction of the adult blind at their homes. It shall be the duty of the said institution to make a detailed report each year to the State Board of Education of the expenditures under this act.

Approved April 11, 1902.

Acts of 1903, Chapter 27.

An Act making an appropriation for the instruction of the adult blind at their homes by the Perkins Institution and Massachusetts School for the Blind.

Be it enacted, etc., as follows:

Section 1. The sum of five thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, to provide for the instruction of the adult blind at their homes by the Perkins Institution and Massachusetts School for the Blind, for the year ending on the 1st day of December, 1903.

Sec. 2. This act shall take effect upon its passage.

Approved January 31, 1903.

Acts of 1903, Chapter 74.

Resolve to provide for the appointment of a commission to investigate the condition of the adult blind.

Resolved, That the Governor, with the advice of the council, is hereby authorized and requested to appoint a commission consisting of three persons, one of whom he shall designate as chairman, which commission shall investigate the condition of the adult blind within this commonwealth, shall inquire into the means and methods whereby their condition may be ameliorated, shall consider the expediency of the establishment by the commonwealth of an industrial training school or other institution for the adult blind, and may recommend legislation. The

commission shall serve without compensation, but may employ such assistance as may be necessary, and its necessary expenses, including traveling expenses, so far as the same are approved by the Governor and council, shall be paid from time to time from the treasury of the commonwealth. The commission shall report the result of its investigations to the general court on or before the 15th day of January in the year Nineteen Hundred and Four. If the commission shall recommend legislation it shall accompany its report with drafts of such bills as may be necessary to carry its recommendations into effect.

Approved May 9, 1903.

Acts of 1904, Chapter 20.

An Act making an appropriation for the instruction of the adult blind at their homes by the Perkins Institution and Massachusetts School for the Blind.

Be it enacted, etc., as follows:

Section 1. The sum of five thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, to provide for the instruction of the adult blind at their homes by the Perkins Institution and Massachusetts School for the Blind, for the year ending on the 31st day of December, Nineteen Hundred and Four.

Sec. 2. This act shall take effect upon its passage.

Approved January 30, 1904.

Acts of 1904, Chapter 87.

Resolve relative to the adult blind.

Resolved, That the Governor, with the advice of the council, is hereby authorized and requested to appoint a commission consisting of three persons, one of whom he shall designate as chairman, which commission shall prepare a complete register of the adult blind in the commonwealth between the ages of twenty and sixty years, containing a description of their condition, the cause of their blindness, and their capacity for industrial training. Adult blind persons between the ages of twenty and sixty years who desire to receive industrial training in schools for the blind in other states than Massachusetts may, on the recommendation of the commission and with the approval of the Governor and council, be sent to such school, and their expenses while receiving such training may be paid in whole or in part from the treasury of the commonwealth, with the approval of the Governor and council. The commission shall also investigate and report as to the advisability and feasibility of ameliorating the condition of the adult blind by industrial training, the establishment of industrial schools, or by any other means. The commission shall serve without compensation, but it may employ such assistance as may be necessary, and its necessary expenses, including traveling expenses, so far as the same are approved by the Governor and council, shall be paid from the treasury of the commonwealth. The commission shall report the result of its investigations to the general court on or before the 15th day of January, in the year Nineteen Hundred and Five, with such recommendations as it may deem advisable, and shall include in its report

the register of the adult blind to be prepared under the provisions of this resolve, a list of the names and ages of all adult blind persons placed in schools for the blind in other states under the authority of this resolve, a statement of the expense to the commonwealth incurred thereby, and, so far as is practicable, of the progress made by every such person in any such school. If the commission shall recommend legislation it shall accompany its report with the drafts of such bills as may be necessary to carry its recommendations into effect. The total expenditures authorized by this resolve shall not exceed the sum of five thousand dollars.

Approved May 23, 1904.

Acts of 1905, Chapter 26.

An Act making an appropriation for the instruction of the adult blind at their homes by the Perkins Institution and Massachusetts School for the Blind.

Be it enacted, etc., as follows:

Section 1. The sum of five thousand dollars is hereby appropriated to be paid out of the treasury of the commonwealth from the ordinary revenue, to provide for the instruction of the adult blind at their homes by the Perkins Institution and Massachusetts School for the Blind, for the year ending on the 31st day of December, Nineteen Hundred and Five.

Sec. 2. This act shall take effect upon its passage.

Approved February 2, 1905.

Acts of 1905, Chapter 1.

Resolve to extend the time within which report shall be made by the commission appointed to prepare a register of the adult blind and to investigate and report as to their industrial training.

Resolved, That the time within which the commission appointed to prepare a complete register of the adult blind and for other purposes, which was constituted by Chapter 87 of the Resolves of the Year Nineteen Hundred and Four, is required to report to the general court, is hereby extended until the 15th day of January in the year Nineteen Hundred and Six; and the chief of the Bureau of Statistics of Labor is hereby empowered and instructed to aid the commission in its preparation of a register of the adult blind by furnishing it, upon its request, with the names, addresses and such other facts concerning the adult blind as may be recorded by the enumerators in taking the decennial census in the year Nineteen Hundred and Five.

Approved January 16, 1905.

Acts of 1906, Chapter 383.

An Act Relative to Compulsory Education.

Be it enacted, etc., as follows:

Section 1 of Chapter 44 of the Revised Laws, as amended by Section 1 of Chapter 320 of the Acts of the Year Nineteen Hundred and Five, is hereby further amended by inserting after the word "dollars," in the thirty-third line, the words: *Provided, however,* that no physical or mental condition which is capable of correction, or which renders the child a fit subject for special instruction at public charge in institutions other than the public day schools, shall avail as a defense under

the provisions of this section unless it shall be made to appear that the defendant has employed all reasonable measures for the correction of the condition, or the suitable instruction of the child—so as to read as follows: Section 1. Every child between seven and fourteen years of age, and every child under sixteen years of age who cannot read at sight and write legibly simple sentences in the English language, shall attend some public day school in the city or town in which he resides during the entire time the public day schools are in session, subject to such exceptions as to children, places of attendance and schools as are provided for in Section 3 of Chapter 42 and Sections 3, 5 and 6 of this chapter. The superintendent of schools or, if there is no superintendent of schools, the school committee, or teachers acting under authority of said superintendent or committee, may excuse cases of necessary absence. The attendance of a child upon a public day school shall not be required if he has attended for a like period of time a private school approved by the school committee of such city or town in accordance with the provisions of the following section, or if he has been otherwise instructed for a like period of time in the branches of learning required by law to be taught in the public schools, or if he has already acquired such branches of learning, or if his physical or mental condition is such as to render such attendance inexpedient or impracticable. Every person having under his control a child as described in this section shall cause him to attend school as herein required; and if he fails for five day sessions or ten half day sessions within any period of six months while under such control to cause such child, whose physical or mental condition is not such as to render his attendance at school harmful or impracticable, so to attend school, he shall, upon complaint by a truant officer and conviction thereof, be punished by a fine of not more than twenty dollars; *provided, however*, that no physical or mental condition which is capable of correction, or which renders the child a fit subject for special instruction at public charge in institutions other than the public day schools, shall avail as a defense under the provisions of this section unless it shall be made to appear that the defendant has employed all reasonable measures for the correction of the condition, or the suitable instruction of the child. Whoever induces or attempts to induce a child to absent himself from school, or employs or harbors a child who, while school is in session, is absent unlawfully from school shall be punished by a fine of not more than fifty dollars.

Approved May 11, 1906.

MASSACHUSETTS.

1908.

Acts of 1907, Chapter 173.

An Act Relative to the Massachusetts Commission for the Blind.

Be it enacted, etc., as follows:

Section 1. Chapter 385 of the Acts of the Year Nineteen Hundred and Six is hereby amended by adding after Section 8 the following new sections:

Section 9. There may be advanced to the chairman of said commission out of the treasury of the commonwealth annually, from the amount appropriated for the maintenance of its industries, such sum

as may be necessary, not exceeding five thousand dollars at any one time, to be used as a working capital for said industries. Said sum when drawn from the treasury of the commonwealth shall be deposited in a national bank or trust company to the credit of the chairman of the commission as such, who shall give a bond in such sum and with such sureties as the Governor and council may approve.

Section 10. The commission shall keep separate books of account for its industries, and may use all moneys received from the sale of any products made at its workshops or from the sale of products made under its supervision to which it has title, for the purpose of carrying on its said industries. The auditor of accounts shall at least once in each year, and oftener if he deems it advisable, examine the books, accounts and vouchers of the commission.

Section 2. This act shall take effect upon its passage.

Approved March 6, 1907.

Acts of 1907, Chapter 174.

An Act making appropriations for the Massachusetts Commission for the Blind.

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the Massachusetts Commission for the Blind, for the fiscal year ending on the 30th day of November, Nineteen Hundred and Seven, to-wit:

For the maintenance of industries under the control of said commission, a sum not exceeding fifteen thousand dollars.

For general administration, for information, industrial and educational aid, and such other expenses as may be found necessary by the commission to carry out the provisions of the act establishing the commission, a sum not exceeding twenty-five thousand dollars.

Sec. 2. This act shall take effect upon its passage.

Approved March 6, 1907.

MASSACHUSETTS.

1913.

Act Establishing a Commission for the Blind.

Acts of 1906, Chapter 385.

An Act to establish the Massachusetts Commission for the Blind.

Be it enacted, etc., as follows:

Section 1. There shall be a state board, to be known as the Massachusetts Commission for the Blind, consisting of five persons, to be appointed by the Governor, with the advice and consent of the council, within sixty days after the passage of this act, one member of which shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years and one for a term of one year. At the expiration of the term of any member of the commission, a member for the term of five years shall be appointed. Any member of the commission may be removed by the Governor, with the consent of the council for such cause as he shall deem sufficient and shall assign in the order of removal.

Sec. 2. The commission shall be authorized to prepare and maintain

a register of the blind in Massachusetts, which shall describe their condition, cause of blindness and capacity for education and industrial training. The chief of the Bureau of Statistics of Labor is hereby directed to aid the commission by furnishing it from time to time, upon its request, with the names, addresses and such other facts concerning the blind as may be recorded by the enumerators in taking any decennial census.

Sec. 3. The commission shall act as a bureau of information and industrial aid, the object of which shall be to aid the blind in finding employment and to develop home industries for them. For this purpose the commission may furnish materials and tools to any blind person, and may assist such blind persons as are engaged in home industries in marketing their products.

Sec. 4. The commission may, with the approval of the Governor and council, establish, equip and maintain one or more schools for industrial training, and workshops for the employment of blind persons, may pay to employees suitable wages, and may devise means for the sale and distribution of the products of such schools and workshops.

Sec. 5. The commission may receive in the schools established by it pupils from other states, upon the payment of such fees as the commission shall determine, and may at its discretion contribute to the support of pupils from Massachusetts receiving instruction outside the commonwealth.

Sec. 6. The commission, in furtherance of the purpose of this act, may provide or pay for temporary lodgings and temporary support for workmen or pupils received at any industrial school or workshop established by it, and may ameliorate the condition of the blind by devising means to facilitate the circulation of books, by promoting visits among the aged or helpless blind in their homes, and by such other methods as it may deem expedient; provided, that the commission shall not undertake the permanent support or maintenance of any blind person.

Sec. 7. The commission, with the approval of the Governor and council, may appoint such officers and agents as may be necessary, and fix their compensation within the limits of the annual appropriation; but no person employed by the board shall be a member thereof. It shall make its own by-laws, and shall annually, on or before the third Wednesday in January, make a report to the Governor and council of its doings up to and including the 30th day of November preceding embodying therein a properly classified and tabulated statement of its estimates for the year ensuing, with its opinion as to the necessity or expediency of appropriations in accordance with such estimates. The annual report shall also present a concise review of the work of the commission for the preceding year, with such suggestions and recommendations as to improving the condition of the blind as it may deem expedient. The members of the board shall receive no compensation for their services, but their traveling and other expenses necessary for the proper performance of their duties shall be allowed and paid out of the treasury of the commonwealth.

Sec. 8. There may be expended during the present year a sum not

exceeding twenty thousand dollars in carrying out the provisions of this act.

Sec. 9. This act shall take effect upon its passage.

Approved May 11, 1906.

MASSACHUSETTS.

Chapter 79, Acts and Resolves of 1914.

Resolve to Authorize the Massachusetts Commission for the Blind to Continue Its Investigation Into the Matter of Defective Eyesight.

Resolved, That there be allowed and paid out of the treasury of the commonwealth the sum of fifteen hundred dollars, to be expended by the Massachusetts Commission for the Blind for the salaries and expenses of those persons who are making a study of defective eyesight problems and doing the work of vocational guidance in individual cases, under the direction of the said commission.

Approved May 12, 1914.

MASSACHUSETTS.

1915.

Education of the Deaf and Blind.

Chapter 39.

Section 19. The Governor may, upon the request of the parents or guardians and with the approval of the board, send such deaf persons as he considers proper subjects for education, for a term not exceeding ten years, but, upon like request and with like approval, he may continue for a longer term the instruction of meritorious pupils recommended by the principal or other chief officer of the school of which they are members, to the American School, at Hartford, for the Deaf, in the State of Connecticut, to the Clarke School for the Deaf at Northampton, to the Horace Mann School at Boston, or to any other school for the deaf in the commonwealth, as the parents or guardians may prefer; and with the approval of the board he may, at the expense of the commonwealth, make such provision for the care and education of children who are both deaf and blind as he may deem expedient. No distinction shall be made on account of the wealth or poverty of such children or their parents. No such pupil shall be withdrawn from such institutions or schools except with the consent of the authorities thereof or of the Governor; and the expenses of the instruction and support of such pupils in such institutions or schools, including their necessary traveling expenses, whether daily or otherwise, shall be paid by the commonwealth; but the parents or guardians of such children may pay the whole or any part of such expense.

Sec. 20. The board shall direct and supervise the education of all such pupils, and shall state in its annual report the number of pupils so instructed, the cost of their instruction and support, the manner in which the money appropriated by the commonwealth therefor has been expended and such other information as it considers important.

Sec. 21. The board shall have the same supervision over the admission to, and instruction of pupils in, the Perkins Institution and Massachusetts School for the Blind as it now exercises over the instruction of the deaf under the provisions of the two preceding sections.

MICHIGAN.

1913.

Care of Blind Babies.

An Act to provide for the care, maintenance and instruction of blind babies and children under school age.

Te People of the State of Michigan enact:

Section 1. The State Board of Education shall have power to provide for the suitable care, maintenance and instruction of babies and children under school age residing in this state, who may be born blind or become blind in any case where by reason of lack of means or other cause the parent or parents of such children may be unable to properly care for, maintain and educate such children.

Sec. 2. For the purpose of providing such care, maintenance and education the said Board of Education shall have power to contract with any institution having or furnishing facilities for such care, maintenance and education in this or any other state at a contract price to be agreed upon, not exceeding five dollars per week per child; Provided, That such contract shall be made by and with the written consent of the parents or surviving parent of any such child.

Sec. 3. Such contract shall continue in force and the care, maintenance and education provided therein shall continue until such child attains the age of six years.

Sec. 4. There shall be included in the tax to be levied for state school purposes, a rate sufficient to raise the sum of twenty-five hundred dollars, in addition to all other sums provided by law, which sum, or so much thereof as may be necessary, is hereby appropriated for the purpose of carrying out the provisions of this act.

Sec. 5. Nothing in this act contained shall be deemed to repeal or in any way modify any existing law with reference to the education of the deaf, dumb, and blind.

This act is ordered to take immediate effect.

Approved May 7, 1913.

MICHIGAN.

1912.

(Abstract taken from the last United States Census.)

School for the Blind.

The general supervision and government of the Michigan School for the Blind is vested in the board of control of the Michigan School for the Blind, consisting of three members appointed by the Governor with the consent of the Senate. The members serve for terms of six years, without compensation other than their necessary expenses.

The school is to educate the blind and to afford them instruction in such useful arts and trades as they are best adapted to pursue and such as will best enable them to maintain themselves. All pupils received in the school are educated in the branches usually taught in the common schools, in vocal and instrumental music, and in such other branches of learning as the board prescribes. They also receive instruction in such mechanical trades as the board prescribes, and have proper physical and moral training.

All blind residents of the state or those whose defective sight pre-

vents their receiving instruction in the common schools, between the ages of 7 and 19 years, are received in the school without charge for tuition, board, lodging, washing, medicine, or medical attendance if in suitable condition of body and mind to receive instruction. The board may, in their discretion, admit persons under the age of 7 or over the age of 19 years. The board may admit applicants from other states and prescribe the compensation to be paid for them, but the compensation must be 10 per cent more than is sufficient to cover all their necessary expenses.

Pupils are entitled to remain in the school for 12 years, or in cases where the board thinks it advisable, 14 years. The board may, however, dismiss any pupil for sufficient cause at any time, or may arrange for the transfer of pupils over 18 years of age to the Michigan Employment Institution for the Blind.

The superintendent of the poor of the several counties of the state must send or cause to be sent to the school all persons entitled to admission to it who are a charge upon the respective counties or any township within them. The superintendent must, before sending any such persons, cause them to be decently and comfortably clothed, and must provide comfortable clothing while they remain at the school, defray their traveling expenses to and from the institution, provide them with such articles of necessity and convenience as are required by the rules of the school to be furnished by the pupils, and must also pay the board of such pupils during the usual annual vacation, if they are permitted to remain at the institution during the vacation. All persons entitled to admission to the school who are not a charge upon any county but who, on account of their poverty, are unable to furnish themselves with proper clothing and other articles required by the rules of the school, must be given the same aid from the superintendent of the poor of their respective counties while attending the school as specified above. When the parent, guardian or other person in charge of a child to be sent to the blind school on account of indigent circumstances is unable to furnish the traveling expenses necessary, the board of control of the blind school must furnish them and charge the same to their county of residence. Transportation to and from the school for the parent, guardian or other person in charge of a child under 12 years of age may be included with these expenses. In all cases where blind residents of the state are unable on account of poverty to furnish themselves with suitable clothing and other necessary expenses for attending school at the Michigan School for the Blind the board of control may render them assistance, not exceeding \$50 a year for each person. The amount is paid by the state and becomes a charge against the blind person's county of residence.

Compulsory Education.

Every parent or guardian or other person having control of any child between the ages of 7 and 19 years in the state who is blind or whose vision is so seriously defective as to make it impossible to have him properly educated in a school for the seeing, must send the child to the school for the blind, unless the child is being educated in a private or parochial school, or is physically or mentally incompetent of being educated, is over the age of 17 years and has been taught and is working

at a trade, or is 18 years of age and is employed at the Michigan Employment Institution for the Blind. The superintendent of the Michigan School for the Blind must furnish to each county commissioner of school, and to the secretary of the school board in every city or village, a list of the names of such children within the county, city or village, as come within the provisions of this law. Investigation of each case must then be made by the truant officer and a report rendered to the superintendent, who must determine the cases where steps are to be taken against the parents, guardians or other person having charge of such a child.

The Secretary of State must annually make out and forward to the superintendent of the school for the blind a copy in detail of so much of the statistical information received by him as relates to the blind. Each school census enumerator must procure the name, age, residence and the name and residence of the parents or guardians of each blind child, and of each child whose vision is so defective as to make it impossible properly to educate the child in the public schools, between the ages of 7 and 19 years. The enumerator must make a separate list of the data described above, and such lists must be forwarded by the secretaries of the school boards to the superintendent of public instruction, who must forward the results to the superintendent of the school for the blind.

Employment Institution for the Blind.

A board of three trustees, appointed by the Governor with the consent of the Senate for terms of six years, has general supervision and government of the Michigan Employment Institution for the Blind. One of the trustees must be a blind person; the Governor is ex officio a member of the board. The trustees receive no compensation other than their necessary expenses.

In the law establishing the institution the board was instructed to open and regulate an industrial or polytechnic school and factory, a working home and an employment and information bureau and circulating library for the benefit of adult blind persons of good moral character, together with such other departments as in their judgment may seem wise and judicious and best calculated to promote the objects and efficiency of the institution. The board must afford adult blind residents of the state, of good moral character, who are in suitable physical and mental condition for receiving instruction, and are in need of it, thorough instruction and training in such arts, trades, callings and branches of learning as will, in the opinion of the board, best serve to fit such persons to earn in whole or in part their own support. All expenses of maintenance of persons at the institution are paid by the state, but a charge not to exceed the amount paid out by the board on account of such beneficiaries, plus a reasonable charge for the use of the apparatus, etc., may be made upon persons applying for and willing to pay for the advantages afforded them. The term of instruction is at the discretion of the board, but is not to exceed three years for any individual learner.

All blind persons, residents of the state, between the ages of 18 and 60 years, who are of good moral character and in suitable condition of

body and mind to receive the instruction afforded or by their labor or services to earn the cost of their own support, must be received in the institution. Partially blind persons whose defective sight is such as to prevent them from successfully engaging in those common pursuits in which possession of vision is thought requisite to success may be admitted upon such just and reasonable terms as the board of trustees prescribes. The board may in its discretion admit persons between the ages of 14 and 18 years with the approval of the board of control of the Michigan School for the Blind, and may admit persons over 60 years of age.

In case of the unavoidable suspension of the industrial or manufacturing department of the institution, or of any trade or calling pursued in the institution, no charge may be made for the maintenance of those wage workers or blind employees whose opportunity of earning their own support is thereby interrupted, unless such suspension continues for a longer time than 14 weeks in any one year.

The board of trustees has power to dismiss any inmate or beneficiary of the institution whenever they think it advisable to do so on account of persistent disobedience, immoral conduct, or other sufficient cause, or in consequence of the person having accomplished the purpose for which he was admitted to the institution.

The provisions for the sending of persons to the Employment Institution for the Blind by the superintendent of the poor are similar to the provisions for the sending of persons to the school for the blind, except that the superintendents must pay for the board of such persons during any necessary suspension of their work, not exceeding 14 weeks for any individual during any one year, as well as during any vacation, if they are permitted to remain at the institution during those periods.

The various institutions of the state, under the control and management of state boards, are required to purchase, so far as the articles may be furnished promptly, from the employment institution for the blind such brooms and other articles made there as are required for their several uses, but at a price fixed by the managing officer of the employing institution, not exceeding the current wholesale price of such articles.

All sums derived from the sales of wares manufactured in the industrial departments of the employment institution, together with all lawful accessories and additions, constitute a "revolving industrial fund for the blind," which is to be continually renewed from the proceeds of all sales of goods manufactured by blind artisans in the institution and of raw materials supplied at cost to blind artisans trained there, and from all sums received for maintenance of inmates or for service lawfully rendered for a stipulated price by the institution. The fund is to be expended for the purchase of raw materials for use in the manufacture of brooms, whisks, rugs, chair seats and other wares made by the blind workers, and for the purpose of handling, carrying and marketing the manufactured products of the industrial departments until disposed of, and for the payment of wages earned by the blind employees of the institution, and to provide for such other expenses as are incurred under rules and regulations prescribed by the board of trustees of the institution. When the fund exceeds \$10,000 the

superintendent and board of trustees may use the excess or as much thereof as necessary for the purchase of additional machinery, tools and implements as they think necessary, or for the construction and equipment of additions to the industrial departments. The State Treasurer is the custodian of the fund.

Census of the Blind.

1912.

The Supervisor or Assessor of each township and ward in the state at the time of making his general assessment and assessment roll for his township or ward in each year must set down the name, age, and general health, habits and occupation of every blind person; the degree and duration of blindness; the sex; whether married, single or widowed; the time under medical treatment; the pecuniary ability of the person thus afflicted and of the relatives of such person liable for his support; whether supported wholly or in part by the public; and such further information relative to these classes as may be thought useful. This record is transmitted to the Secretary of State, who must present an abstract of the information to the Governor.

MINNESOTA.

1872.

Article 9, Section 14-a.

Public Debt for State Buildings. For the purpose of erecting and completing buildings for a hospital for the insane, a deaf, dumb and blind asylum, and state prison, the legislature may, by law, increase the public debt of the state, to an amount not exceeding \$250,000.00, in addition to the public debt already heretofore authorized by the constitution, and for that purpose may provide by law for issuing and negotiating the bonds of the state, and appropriate the money only for the purpose aforesaid, which bonds shall be payable in not less than ten nor more than thirty years from the date of the same, at the option of the state.

Chapter 26.

Schools for the Deaf and Blind.

4143. *Location—Organization.* The Minnesota Schools for the Deaf and the Blind shall be continued at Fairbault. They shall be maintained as the school for the deaf and the school for the blind, and shall be grouped and classed with the educational institutions of the state. (1913.)

4144. *Directors—Officers—Meetings.* The board, consisting of the Governor and state superintendent ex officio, and five directors appointed by the Governor for a term of five years and until their successors qualify, and known as the "Board of Directors of the Institute for Defectives," shall be continued and hereafter known as the "Board of Directors of the Minnesota Schools for Deaf and the Blind." Said board shall annually elect from its members a president and a secretary, who shall hold office until their successors qualify. It shall hold monthly business meetings, at which three members shall constitute a quorum. Vacancies in the board shall be filled by the Governor for the unexpired terms. The salary of the secretary shall be fixed by

the board at not to exceed three hundred dollars (\$300.00) a year. (1932.)

4145. *Powers and Duties.* The board shall have the educational management and supervision of the schools, and shall prescribe regulations for the admission and government of pupils, and do all things necessary for their efficient education and training. It shall teach the trades and manual industries most conducive to training for self-support. It shall appoint, and may at pleasure remove, a superintendent for each school, and, upon nominations of the superintendents, such subordinates as may be necessary. (1933.)

4146. *Who May Be Admitted—Expenses.* Any deaf or blind resident of the state of suitable age and capacity for instruction may be received, kept and taught therein, under such conditions as the board may prescribe. He shall be provided by the person legally liable for his support with sufficient funds to furnish him with proper clothing, postage and transportation. If any such person be a pauper, or if the person legally liable for his support is unable to make these provisions for him, of which facts the certificate of the probate judge shall be prima facie evidence, the county in which he has a residence shall annually on or before October 1st pay to the superintendent of which he is an inmate a sum not exceeding forty dollars to be fixed by the board. Such sum shall be used only for clothes, postage and transportation for the pupil. The superintendent shall, on August 1st of each year, render to the County Auditor and to the board of directors a detailed account thereof. (1934.)

4147. *University—Free Tuition.* Any resident of the state graduated from the school for the blind, upon compliance with all other requirements, shall be entitled to pursue any course of study in the state university, without expense for tuition; and the board of regents shall receive him into any department thereof. (1935.)

4148. *Gifts and Conveyances.* The board shall take and hold in trust all lands or other property, granted, given, devised or conveyed to the schools or either of them. All moneys so received, and all incomes from such property shall be deposited in the state treasury, subject to the order of the board. (1936.)

4148. *Annual and Biennial Reports.* On or before November 1st of each year, and whenever required, each superintendent shall make to the board a full report of the work of his school, with such recommendations as he shall deem proper. The board shall make a biennial report to the Governor on or before December 1st preceding each regular session of the legislature. Said report shall contain a full history of the work of each school for the two years ending with the preceding July, with reports of the several superintendents, and other matters usually included in such reports. Said report shall be printed by the state, and five copies furnished to each state officer and member of the legislature, and such number to the board as it shall require, not to exceed five copies for each pupil enrolled. (1937.)

4150. *Certain Children Required to Attend.* Every parent, guardian, or other person having control of any normal child between eight and twenty years of age, too deaf, or too dumb or defective of speech to be materially benefited by the methods of instruction in vogue in the

public schools, shall be required to send such child or youth to the school for the deaf at the City of Fairbault, Minnesota, during the scholastic year of that school. Such child or youth shall attend such school, year after year, until discharged by the superintendent upon approval of the board in control of such institution.

Excusing Attendance. Such board may excuse attendance when satisfied: 1. That the child is in such bodily or mental condition as to prevent his attendance at school or application to study for the period required. 2. That he is afflicted with such contagious or offensive disease or possesses such habits as to render his presence a menace to the health or morals of other pupils, or for any reason deemed good and sufficient by the superintendent with the approval of the board in control of such school. 3. That the child is efficiently taught for the scholastic year in a private or other school, or by a private tutor, the branches taught in the public schools so far as possible.

Penalty. Any such parent, guardian, or other person failing to comply with the foregoing section, shall, upon conviction thereof before the justice of peace or other court, be deemed guilty of a misdemeanor, and shall be fined in a sum not less than five nor more than twenty dollars for the first offense, nor less than ten or more than fifty dollars for the second and every subsequent offense, with costs in every case. Any person who induces, or attempts to induce, any deaf or dumb child to absent himself or herself unlawfully from school, or employs or harbors such child unlawfully from school while said school is in session, shall be deemed guilty of a misdemeanor and shall be fined in a sum not less than five dollars nor more than twenty dollars for the first offense, nor less than ten nor more the fifty for the second, and every subsequent offense, with costs in each case. The principal teacher of every public school in the counties and every truant officer of the cities of St. Paul, Minneapolis and Duluth shall, within 30 days of the close of the school year succeeding the passage of this act, and at corresponding period each succeeding year after, furnish the County Superintendent of Schools or the Board of Education of the cities of St. Paul, Minneapolis and Duluth, as the case may be, with the name, age, sex and address of parent or guardian of all normal children, who are too deaf or too dumb to be educated in the public schools, between the ages of eight and twenty years, inclusive, living within the boundaries of her or his school district who does not attend school. And the County Superintendents of Schools, or the Board of Education of the cities of St. Paul, Minneapolis and Duluth, shall certify forthwith, the names of all such deaf children, with the address of parent, age and sex to the superintendent of the Minnesota School for the Deaf at the City of Fairbault.

Prosecutions. It shall be the duty of the County Attorney to at once prosecute any case of parent or others unlawfully responsible, directly or indirectly, for the failure to place a deaf child or youth in a school for the deaf, when such case shall have been reported to him. (R. L. c. 26, amended '07 c. 407, sec. 1; '09 c. 396, sec. 1.)

4151. *Field and Employment Agency for Blind.* There shall be established under the management of the board of directors of the

school for the blind of the State of Minnesota a field and employment agency for the blind of said state. ('13 c. 488, sec. 1.)

4152. *Same—Superintendent—Powers and Duties of Agency.* The board of directors of said school shall annually appoint, upon the recommendation of the superintendent thereof, a competent person to conduct the work of said agency, under the direction of said superintendent.

Said agency shall collect statistics of the blind, including their present physical and mental condition, causes of blindness, capacity for education and industrial training, and any further information looking toward the improvement of their condition that may be desired.

Said agency shall give especial attention to the cases of such blind youth as are eligible to attendance at the school for blind, but are not in attendance thereat, or are not receiving adequate instruction elsewhere, and shall seek to secure such attendance by all practical means.

Said agency shall endeavor to secure for the adult blind of the state such labor and employment as shall be adapted to their training and ability, and shall, so far as may be feasible, aid said adults in securing any provisions which may be made by the school for the blind for the betterment of the state's blind.

Said agency shall further be empowered to aid the blind (1) by home instruction and training, (2) by assisting them in securing tools, appliances and supplies (3) by aiding in marketing the products of their labors, (4) by care and relief for the indigent blind, and in any other practicable means of alleviating their condition. ('13 c. 488, sec. 2.)

4153. *Same—Expenses.* The board of directors of the Minnesota School for the Blind are hereby authorized to defray the necessary expenses of the aforesaid agency from the appropriations for the current expenses of said board. ('13 c. 488, sec. 3.)

SESSION LAWS OF MINNESOTA FOR 1915.

Chapter 194.

An Act authorizing and empowering any special, independent or common school district in the State of Minnesota, to provide for, establish, conduct and maintain schools for deaf children, blind children, defective speech children and mentally subnormal children in such school districts in certain cases and appropriating money therefor.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. *Education of Deaf Children.* Upon application of any special, independent or common school district, complying with the provisions of this act, made to the State Superintendent of Education, he may grant permission to such district to establish and maintain within its limits one or more schools for the instruction of deaf children who are residents of the state.

Any school district which shall maintain one or more such schools, shall, through its clerk or secretary, report to the State Superintendent of Education annually, or oftener if he so direct, such facts relative to such school or schools as he may require.

The courses and methods of instruction must comply with such requirements as may be outlined by the State Superintendent of Educa-

tion. All schools for deaf children established under this law shall be conducted by the combined system, which includes the oral, aural, the manual and every method known to this profession; and the courses and methods of instruction shall be substantially equal or equivalent in efficiency to the course and methods of instruction established and employed in the State School of the Blind at Fairbault, Minnesota. The State Superintendent of Education may designate any number of his staff as an inspector to visit and note the progress of the schools provided for in this act.

Permission to establish such schools may be granted to districts which have an actual attendance of not less than five deaf children, between the ages of four and ten years, who may come under the provisions of this act. Blind children, defective speech children and mentally subnormal children are not to be admitted to the same class with the deaf children, but must each have classes and teachers.

There shall be paid out of the current school fund in the state treasury annually in the month of July, to the treasurer of the school district board, or of the Board of Education, in the school district maintaining such school or schools under the charge of one or more teachers, whose appointment and qualifications shall be approved by the State Superintendent of Education, the sum of \$100.00 for each deaf child instructed in the school or schools having an annual session of at least nine months during the year preceding the first day of July.

It shall be the duty of the treasurer of the school district or of the Board of Education receiving the aid provided for in this section to render annually to the State Superintendent of Education an itemized statement of all expenditures of said school or schools. Any surplus at the end of the year shall be reserved as a special fund for the education of the deaf children of that district and can be used for no other purpose.

SESSION LAWS OF THE STATE OF MINNESOTA FOR 1915.

Chapter 194, Section 2.

Education of Blind Children. Section 1 of this act shall, so far as applicable, provide for and apply to the schools for the blind, except that there shall be paid out of the current school fund in the state treasury annually in the month of July to the treasurer of the school district maintaining a school or schools for the blind under the charge of one or more teachers whose appointments and qualifications shall be approved by the State Superintendent of Education, the sum of \$100.00 for each blind pupil instructed in such school or schools having an annual session of at least nine months during the year next preceding the first day of July.

Sec. 5. *Limitation of Attendance.* Permission to establish such special classes as may come under the provisions of Sections 2, 3 and 4 of this act may be granted to districts which have an actual attendance of not less than five children, between the ages of four and sixteen years.

Sec. 6. This act shall take effect and be in force from and after its passage.

MINNESOTA.

1915.

SESSION OF LAWS OF MINNESOTA FOR 1915.

Chapter 307. S. F. No. 498.

An Act to provide for the necessary expenses of the blind students in universities, colleges and conservatories of music.

Be it enacted by the legislature of Minnesota:

Section 1. *Blind Students to Receive \$300.00 Expenses While at Universities, Colleges, Etc.* That any blind person who is and for five years immediately preceding the making of his application for aid under this act, has been, a resident of this state, and who is a regularly enrolled student pursuing any course of study, profession, art or science, in any university, college or conservatory of music, approved by the board of directors of the Minnesota School for the Blind, may in the discretion and under the direction of said board receive a sum or sums of money not exceeding \$300.00 in any one year for the purpose of defraying his necessary expenses, including those of a reader, while in attendance upon such university, college or conservatory, such expenditures to be made from the appropriations for the current expenses of the Minnesota School for the Blind, provided that not more than five such blind persons shall receive such aid in any one year.

Sec. 2. This act shall take effect and be in force from and after August 1st, 1915.

Approved April 24, 1915.

MISSISSIPPI.

(Abstract taken from the last United States Census.)

School for the Blind.

1906.

The government of the Institute for the Blind is vested in a board of five trustees, appointed by the Governor with the consent of the Senate for terms of four years. The board may admit into the institute only bona fide residents of the state, of good moral character. It must fix the amount to be paid by pupils for board, the terms of admission, and times of payment, but it must admit free of all charges, upon the certificate of the County Superintendent of Education, all invalid and indigent blind persons who are eligible, provided the amount appropriated by the legislature is sufficient to care for them properly.

Graduates Supplied With Tools.

1910.

When a blind person has graduated from the blind institution, it is the duty of the trustees to furnish him with the necessary tools to carry on his trade. The cost of the tools is not to exceed \$100.

MISSOURI.

1909.

Section 1470. *Government Vested in a Board of Managers.* The government of the Missouri School for the Blind shall be vested in a board of managers composed of five members, one of whom shall be, if practicable, a physician and oculist, and who shall give his professional services gratuitously to the pupils of said school.

Sec. 1471. *Board to Control Property and Affairs.* The board of managers are invested with the general control and direction of the property and affairs of the institution, with power to direct such purchases as, under the advice of the superintendent, may be deemed necessary for the comfort, health and educational advancement of the pupils. They shall prescribe rules, regulations and by-laws for the government, discipline and management of the school, and shall conduct its concerns agreeably to the requirements of law and the rules, regulations and by-laws of the institution.

Sec. 1472. *Officers to Be Appointed.* The board shall have authority to appoint a superintendent and such number of teachers as may from time to time be required; also a professor of music, a matron and a foreman of the mechanical department for males, and a female teacher of handicraft for females, all of whom shall be qualified to impart instruction to the blind, and who shall be known as the officers of the institution; but the other officers may, at the discretion of the board, occupy other buildings, to be provided and furnished at their own expense. No person shall board or lodge in said institution who is not a pupil or employe thereof, except the officers and their families.

Sec. 1473. *Duties of Officers to Be Prescribed in the By-laws.* The board of managers shall, in their rules, regulations and by-laws, prescribe the duties of the respective officers and fix the terms of the same. They may at their pleasure remove any officer, teacher or other employe.

Sec. 1474. *The Treasurer.* There shall be a treasurer of said institution appointed by the board of managers, who shall give bond for the faithful performance of his trust, in such sum and with such sureties as shall be required by the said board. He shall have the custody of all moneys, obligations and securities belonging to the institution, and shall make payments on such warrants and orders as may be prescribed in the by-laws of the institution. He shall submit to the board each month a statement of all moneys received and a list of all warrants, orders or checks paid by him the past month, giving the names of all persons to whom such payments were made.

Sec. 1475. *Salaries.* The superintendent shall receive for his services a salary of two thousand dollars per annum; the matron shall receive for her services a salary of six hundred dollars per annum; the treasurer shall receive for his services such compensation as shall be fixed by the board. The board of managers shall fix the salaries and wages of all other officers, teachers and employes of the institutions; which salaries and wages of all officers, teachers and employes shall be allowed and paid every month.

Sec. 1476. *Actions for Trespass, Etc., How Instituted.* For all damages for trespass and other wrongs to the institution or any other property thereof, real or personal, actions may be maintained in the name of the board of managers as such; and all damages recovered in such actions shall be appropriated to the reparation of the property injured, and to other purposes of the institution.

Sec. 1477. *Qualifications of Superintendent—Oath.* The superintendent shall be a teacher of knowledge, skill and ability in his profession, and of experience in the management and instruction of the blind. He shall not, while such superintendent, engage in any other

employment, but shall, to the exclusion of all other business, devote himself to the instruction, supervision and care of the institution and its inmates. Before entering upon the duties of his office he shall take an oath or affirmation that he will diligently, faithfully and impartially discharge all the duties required of him by law.

Sec. 1478. *Powers and Duties of Superintendent.* The superintendent shall be the chief executive officer of the institution; he shall see that the several officers of the institution faithfully and diligently discharge their respective duties and upon failure thereof shall make report of the facts to the board of managers; he shall receive such blind as shall be entitled to admission into the school, and discharge them therefrom; provided that he shall at all times exercise the powers and perform the duties herein mentioned according to the rules and by-laws of the institution.

Sec. 1479. *Accounts to Be Kept, Etc.* The board of managers shall keep a full and correct account of their proceedings in books to be provided for that purpose. The officers of the school shall make report, through the superintendent, to the board, as it may from time to time require. The board shall make detailed reports biennially to the general assembly of their proceedings, the condition of the institution, the number of pupils, and other facts connected with the institution, including the exact receipts and expenditures of the board, accompanied by the biennial reports of the superintendent and the treasurer to the board.

Sec. 1480. *Meetings of the Board.* The board of managers shall meet once a month to receive the monthly reports of the superintendent and treasurer, and transact such business as may be brought before them.

Sec. 1481. *Who Entitled to Benefits of Institution.* All blind persons of suitable mental and physical capacity between the ages of six and twenty years, residing in this state, shall be entitled to the benefits of the institution, and shall be permitted to remain in said institution for the term of twelve years, unless, in the discretion of the board, they shall be sooner discharged therefrom; but the board may in its discretion retain a pupil for a longer period. But in no case shall any person be admitted into the institution who is not a bona fide resident of the state; provided, however, that blind persons of this state over the age of twenty years may be admitted at the discretion of the board.

Sec. 1482. *Duty of County Court When Blind Person Unable to Pay Expenses.* Whenever, upon petition of any person, and satisfactory evidence adduced to the county court of any county in this state, that there is a blind person, between the ages of nine and twenty-five years, residing in such county, and such blind person is entitled to the benefits and advantages of the Missouri School for the Blind, and the parents or guardian of such blind person are unable to pay the expenses of such blind person at such school, the county court, with the consent of the parents or guardian of such person, may order such blind person sent to such school at the expense of the county, and such person shall be admitted into such school as indigent persons.

Sec. 1483. *Eyes of Pupils to Be Examined, Etc.* It is hereby made

the duty of the board of managers to have the eyes of every pupil who may be admitted into said school carefully examined by the physician and oculist of the said school, and if, upon such examination by such physician and oculist, it shall appear that by medical treatment, or by surgical operation, the sight may be improved or restored, he shall, with the consent of the board, and with the further consent of the parents or guardian of such pupil, when it is practicable to obtain such consent, institute such medical treatment or perform such surgical operation as in his judgment may be deemed practicable and advisable; and if such treatment or operation shall prove successful, the pupil shall be discharged from said school as soon thereafter as may be thought prudent.

MISSOURI.

1913.

PENSIONS.

Cities to Care for Their Blind; Indigent Confederate Veterans Granted Monthly Allowance.

The Forty-seventh General Assembly (Session of 1913) adopted a joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the constitution thereof, concerning the granting and payment of pensions or allowances to the deserving blind, as follows:

Be it resolved by the Senate, the House of Representatives concurring therein, as follows: That at the general election to be held on Tuesday next following the first Monday in November, A. D. 1914, the following amendment to the Constitution of Missouri, concerning the granting and payment of pensions or allowances to the deserving blind, shall be submitted to the qualified voters of said state, to-wit:

Section 1. That Section 47 of Article 4 of the Constitution of Missouri be amended by adding thereto the following words: "and provided further, that nothing in this or the preceding section shall be construed as prohibiting the general assembly from making provision by law for the granting and payment of pensions or allowances to the deserving blind, or from authorizing by law any counties, cities or incorporated towns or villages of this state to provide for the granting and payment of such pensions or allowances."

MISSOURI.

1915.

Sec. 36-a. *Readers for Indigent Blind Students.* There is hereby appropriated out of the state treasury, chargeable to the general revenue fund of the state, the sum of \$2,400, to provide for readers for certain indigent blind students in institutions of higher learning in the state.

Sec. 1. *Classifications, Etc.* That Article 10, Chapter 19, Revised Statutes of Missouri, 1909, relating to the school for the blind, be and the same is hereby amended by adding a new section thereto to be known and numbered as Section 1470-a. *Classification, etc.* The Missouri School for the Blind shall be regarded, classed and conducted wholly as an educational institution of the state, and its classification, conduct and management shall be wholly separate and distinct from

that of the benevolent, charitable, custodial and correctional institutions of the state.

Approved March 23, 1915.

MISSOURI.

1915.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. *Missouri Commission for the Blind—How Constituted—Appointment—Tenure.* The Governor shall appoint, by and with the consent of the Senate, five persons, who shall constitute the Missouri Commission for the Blind. The first appointment hereunder shall be made as soon as may be after this article takes effect, and the Governor shall designate two of said appointees to serve for a term ending two years from the first day of January, 1915, and three to serve for a term ending four years from the first day of January, 1915; thereafter appointments shall be made for the full term of four years. All appointees hereunder shall hold office until their successors are appointed and assume the duties of office.

Sec. 2. The duties of said commission shall be to prepare and maintain a complete register of the blind persons within this state and to collate information concerning their physical condition, cause of blindness and such additional information as may be useful to the commission in the performance of its other duties as herein enumerated, and to investigate and report to the general assembly from time to time the condition of the blind within this state, with its recommendations concerning the best method of relief for the blind; to adopt such measures as the commission may deem expedient for the prevention and cure of blindness; to establish and maintain at such places within this state as the commission may deem expedient shops and workrooms for the employment of blind persons capable of useful labor, and to provide superintendence and other assistance therefor and instruction therein; to compensate the persons so employed in the manner and to the extent that the commission shall deem proper; to provide such means for the sale of the products of the blind as the commission shall deem expedient; to act as a bureau of information for the purpose of securing employment for the blind of this state elsewhere than in the shops and workrooms of the commission, and to this end the commission is authorized to procure and furnish materials and tools and to furnish aid and assistance to blind persons engaged in home industries and to buy and sell the products of the blind wherever and however produced within this state; to provide for the temporary cost of the food, raiment and shelter of deserving blind persons engaged in useful labor; to ameliorate the condition of the blind by such means consistent with the provisions of this act as the commission may deem expedient: Provided, however, that no part of the funds appropriated by the state shall be used for solely charitable purposes; the object and purpose of this act being to encourage capable blind persons in the pursuit of useful labor and to provide for the prevention and cure of blindness.

Sec. 3. *Commission Authorized to Receive and Expend Donations and Bequests.* Said commisison is authorized to receive and use for the

purposes hereinbefore enumerated, or any of them, donations and bequests, and is authorized to expend such donations and bequests in such manner as it may deem proper within the limitations imposed by the donors thereof.

Sec. 4. *Commission May Adopt By-Laws or Rules and Regulations—Quorum—Agents and Employes—To Report to General Assembly.* Said commission may adopt by-laws or rules and regulations for its government; a majority of the commission shall constitute a quorum. It shall have power to appoint such agents and employes as it shall deem necessary and fix their compensation within the limits of the appropriation that shall be made by the general assembly; it shall hold regular monthly meetings, keep a full record of its proceedings and of its receipts and disbursements, and shall, on or before the first Monday in January of each biennial period, make a full report to the general assembly, presenting a concise review of the work of the commission for such period, with recommendations looking to the amelioration of the blind in this state.

Sec. 5. *Compensation—Expenses.* The members of the commission shall receive no salary or other compensation for their services, but their traveling expenses and other necessary expense in the performance of their duties may be allowed and paid them out of any funds that may be appropriated by the state for the use of said commission.

Approved March 13, 1915.

MISSOURI.

(Abstract taken from the last United States Census.)

School for the Blind.

1913.

The course of study in all institutions for the instruction of the blind must be of such a character as to qualify a student graduating from any of them to admission in any of the higher institutions of learning in the state.

The board of directors of each district must in connection with the school census annually take or cause to be taken an enumeration of all blind persons of school age residing in their districts. (1909.)

Blind Students in General Institutions.

1913.

A blind citizen of the state who is a student in actual attendance at a college, university or technical or professional school located within the state and authorized to grant degrees, other than an institution for the blind, may, if he is designated by the county court of his county as indigent, receive from the state \$300 a year with which to employ a reader.

MONTANA.

(Abstract taken from the last United States Census.)

School for the Blind.

1909.

The general control and supervision of the Montana School for the Deaf and Blind is vested in the State Board of Education, but the board confers upon the executive board of the school such authority relative to the immediate management, other than financial, as it thinks

expedient. The board of education appoints the president of the school and fixes his salary. The executive board consists of the president of the school, ex-officio chairman, and two members appointed by the Governor with the consent of the board of education. At least two of the three members of the board must reside in the county where the institution is located. The appointed members of the board hold office four years and receive such compensation as the board of education determines, not to exceed \$5 for each day actually spent in the discharge of their duties, and not exceeding \$125 in any one year, for each member. All expenses necessarily incurred by them in the discharge of their duties are paid by the state.

The object of the school is to furnish all children who are debarred from the public schools by reason of deafness, dumbness, blindness or feeble-mindedness with at least an ordinary public school education in all the customary branches, and to train them into mastery of such trades as will enable them to become independent and self-sustaining citizens.

All blind persons between the ages of 6 and 21 years residing in the state and not of unsound mind or dangerously diseased in body, or of confirmed immorality, or incapacitated for useful instruction by reason of physical disability, are eligible for admission to the school, and all pupils are entitled to 10 years of attendance. Upon special petition approved by the president, by any pupil who has completed the course of 10 years, he may be allowed two additional years. Pupils may be expelled for sufficient cause. When there is room non-resident blind persons may be admitted to the school upon payment in advance of a year's cost of maintenance.

In all cases where a person to be sent to the school is too poor to pay for the necessary clothing and transportation the expenses are to be paid by the president of the school and charged against the county of the blind person's residence. (1907.)

Compulsory Education.

1907.

Every parent, guardian or person having custody of any child who is blind to be educated in the public schools must send the child if of lawful age, to the institution for the blind for six months of each year for the period of eight years, unless the child is taught in a private school, at home, or in a similar institution in another state, in such branches as are taught in the state institution, or unless the child be excused by the authorities on account of mental or physical disability: Provided, that the child must be required to attend the private school or institution, as provided for above, not less than six months of each year for eight years, or until he has arrived at the limit of the lawful school age. The school district clerks of each county must annually report to the county superintendent of schools the names, ages and addresses, and the names of parents and guardians, of every blind person between the ages of 5 and 21 years, residing in the school district. The county superintendent must send a complete list of the names, ages and addresses of all such persons in their county to the president of the school for the blind.

NEBRASKA.

1915.

Be it enacted by the people of the State of Nebraska:

Section 1. *Relief of Blind.* There is hereby appropriated \$2,000 as a nucleus of a fund for the relief of the blind in this state.

Sec. 2. *How Used.* Said relief fund shall be employed in any suitable effort to minimize the evil of blindness in this state, but any portion of said relief fund contributed by the state shall be reserved to the following named uses, to-wit:

(a) To collect, interpret and publish data relating to the cause, prevention and cure of blindness, the means employed or advocated for ameliorating the condition of the blind, the number, location, character and condition of the blind of this state.

(b) To provide home teaching for the blind.

(c) To encourage home industry by assisting the workers in obtaining supplies and in finding a market.

(d) To assist worthy and competent persons in finding remunerative employment suited to their needs and capacities.

(e) To assist worthy and talented persons in pursuing studies more advanced, or more technical than those offered by the Nebraska Institution for Blind.

Sec. 3. *Blindness Defined.* The term "blindness" is defined to include all defects of the organs of vision which limit success and happiness. The term "blind" shall include all persons who need assistance, and whose need is primarily due to said limitation, but in each case the relief granted shall be suited to the beneficiary's need and to his willingness and capacity to profit thereby.

Sec. 4. *Advisory Board.* The superintendent of the Institution for the Blind at Nebraska City and the executive board of the Nebraska Association of Workers for the Blind shall form an advisory board for carrying out the purposes of this act. Said board shall act in co-operation with the board of commissioners of state institutions. All state appropriations and funds contributed to the relief fund provided in this act shall be expended only under the authority and supervision of said board of commissioners of state institutions.

Sec. 5. *Contributions to Fund.* The advisory board described in the preceding section may solicit and receive contributions either for immediate use or endowment of the relief fund, giving receipts therefor. All such funds when received shall be deposited or invested under authority of the board of commissioners of state institutions and held subject to its order.

Approved April 13, 1915.

Section 1. *Amendment.* That Sections 7210 and 7211, Revised Statutes of Nebraska for 1913, are hereby amended to read as follows:

7210. Sec. 32. *School of Deaf.* The purpose of the school for the deaf, now established and located at Omaha, in Douglas County, and of the school for the blind, now established and located at Nebraska City, in Otoe County, shall be the physical, moral and intellectual culture and training of the respective classes for whose benefit such institution was created, to the end that the pupils in each institution may be

returned to society capable of becoming self-sustaining and useful citizens.

7211. Sec. 33. *Same—Name.* In order to be better known and more fully recognized as strictly educational institutions, the name of the state school known as the "Nebraska Institute for the Deaf and Dumb" shall be changed to "Nebraska School for the Deaf," and the name of the institution for the blind shall be changed to "Nebraska School for the Blind."

Approved April 13, 1915.

NEBRASKA.

(Abstract taken from the last United States Census.)

School for the Blind.

1913.

The board of commissioners of state institutions has the oversight and general control of the Nebraska School for the Blind. The purpose of the school is the physical, moral and intellectual culture and training of the blind, to the end that they may be returned to society capable of becoming self-sustaining and useful citizens. All blind persons and those blind to such an extent that they can not acquire an education in the common schools of the state, and who are of suitable age and capacity and of good moral character, are entitled to an education in the institution for the blind, without charge. The parents or guardians must furnish suitable clothing and traveling expenses and support the pupil during the summer vacation, but if they do not do so the county of his residence is charged with the expense of his clothing and transportation home, and it must collect from the parent or guardian, if the person is a minor, or from himself if he is an adult. In all cases where the parent or guardian is unable to pay the necessary expenses and the pupil is a pauper, the county of his residence must pay. Persons not residents of the state may avail themselves of the benefits of the school by complying with the conditions of admission for citizens of the state and paying in advance a sum fixed by the governing board.

Compulsory Education.

1913.

All persons between the ages of 7 and 18 years who, by reason of partial or total blindness, are unable to obtain an education in the public schools are required to attend the state school for the blind, unless they are being privately or otherwise educated.

Each county superintendent of common schools must report to the superintendent of the state school for the blind the name, age and address of every blind person and of every person blind to such an extent as to be unable to acquire an education in the common schools who resides in his county.

Exemption of the Blind.

1913.

The blind are specially exempted from the laws applicable to tramps.

NEVADA.

(Abstract taken from the last United States Census.)

Education of the Blind.

1912.

The superintendent of public instruction is authorized to make arrangements with the directors of any institutions for the blind in the states of California or Utah for the admission, support, education and care of the blind of the state.

Upon the application under oath of a parent, relative, guardian or nearest friend of any blind resident of the state, to the effect that by reason of blindness such person is disqualified from being taught by the ordinary process of instruction and education, and that they are unable to pay for his support, education and instruction in any of the institutions mentioned above, filed with the board of county commissioners of the proper county, if the board is satisfied with the truth of the statements, it may make application to the superintendent of public instruction for the purpose of having him issue a certificate to that effect, which certificate being produced is the authority of the directors of any of the prescribed institutions for receiving the blind person.

All blind persons that are not mentally or physically incapacitated to receive an education or instruction, that are free from offensive or contagious diseases, and are unable to pay for their support, education and instruction in any of the institutions specified, and whose parent, relative, guardian or nearest friends is unable to pay, are entitled to the benefits of these provisions, and the county of the person's residence must furnish the necessary expenses for carrying the person to the office of the superintendent of public instruction, who must make all necessary arrangements for carrying him to an institution at the expense of the state. All blind persons over 21 years of age seeking admission into the institutions must be bona fide residents of the state for five years previous to the filing of their applications.

NEW HAMPSHIRE.

1913.

Chapter 117.

An Act to provide for the Blind of the State of New Hampshire.

Be it enacted by the Senate and House of Representatives in General Court convened:

Section 1. The state board of charities and correction are hereby authorized to prepare and maintain a register of the blind in the state which shall describe their condition, cause of blindness, capacity for education and industrial training and such other data as said board may deem advisable.

Sec. 2. The state board may act as a bureau of information and industrial aid for the blind, and for this purpose in their discretion may furnish materials and tools to any blind person and may assist such blind persons as are engaged in home industries in marketing their products, and may assist the blind in finding employment and in developing home industries for them, and may ameliorate the condition of the blind by devising means to facilitate the circulation of books, by

promoting visits among the aged or helpless blind in their homes, and by such other methods as it may deem expedient: Provided, that the said board shall not undertake the permanent support or maintenance of any blind person.

Sec. 3. The state board of charities may in their discretion contribute to the support of the blind persons from New Hampshire receiving instruction in industrial institutions outside of the state.

Sec. 4. Said board may appoint such officers and agents as may be necessary to assist in carrying into effect the purposes of this act and fix the compensation of such persons within the limits of the annual appropriation, but any person employed by the board shall not be a member of the board, and there may be expended during the next two years a sum not exceeding five thousand dollars per year in carrying into effect the provisions of this act.

Sec. 5. This act shall take effect from and after the first day of September, 1913.

Approved May 7, 1913.

NEW HAMPSHIRE.

1915.

Chapter 188.

Joint Resolution in Favor of Industrial Institution for the Blind.

Resolved by the Senate and House of Representatives in General Court convened:

That the Governor be authorized to appoint a committee of three to investigate the need and advisability of establishing an industrial institution for the blind, such committee to report their findings and recommendations to the general court of 1917, and that the Governor be authorized to draw his warrant for the expenses of such investigation from any moneys not otherwise appropriated.

Approved March 11, 1915.

Chapter 94.

An Act for the Relief of Needy Blind.

Be it enacted by the Senate and House of Representatives in General Court convened:

Section 1. Any person of either sex who, by reason of loss of eyesight, is unable to provide himself with the necessities of life, who has not sufficient means of his own to maintain himself, and who, unless relieved as authorized by these provisions, would become a charge upon the public or upon those not required by law to support him, shall be deemed a needy blind person.

Sec. 2. In order to receive relief under these provisions, a needy blind person must become blind while a resident of this state, and shall be a resident of the county for one year and of the state for five years.

Sec. 3. At least ten days prior to action on any claim for relief hereunder, the person claiming shall file with the county commissioners a duly verified statement of the facts bringing him within these provisions. The list of claims shall be filed in a book kept for that purpose, in the order of filing, which record shall be open to the public.

Sec. 4. No certificate of qualification of drawing money hereunder shall be granted until the county commissioners shall be satisfied, from

the evidence of at least two reputable residents of the county, one of whom shall be a registered physician, that they know the applicant to be blind, and that he has the residential qualifications to entitle him to the relief asked. Such evidence shall be in writing, subscribed to by such witnesses, and be subject to the right of investigation by the county commissioners.

Sec. 5. If the county commissioners be satisfied that the applicant is entitled to relief hereunder, they shall furnish aid to said applicant in such sum as they find needed, not to exceed one hundred and fifty dollars per annum, to be paid from the county treasury, and such relief shall be in place of all other relief of a public nature.

Sec. 6. If the county commissioners, in the examination of the qualifications of any person filing a claim for relief hereunder, or who may have been allowed relief by such commissioners, shall determine upon the evidence of a registered physician and surgeon that any person or persons making such claims or then on such lists might have such disability benefited or removed by proper surgical operation or medical treatment, and such person entitled to such relief files his consent in writing thereto, then the county commissioners may expend for the purpose of such surgical operation or medical treatment all or any portion of the relief which the county commissioners may award to such person for one year under the provisions of this act; and in such case shall pay the sum so awarded to the persons entitled to pay for such surgical operation or medical treatment, instead of being paid to the person entitled to such relief.

Sec. 7. The county commissioners annually shall make examination as to qualifications of any one on the blind list, and increase or decrease the amount within the limits herein prescribed. If not satisfied that the person on the list is qualified to draw his money, said commissioners shall remove such person from the list.

Sec. 8. The county commissioners may at any time during the year inquire into the qualifications and examine as to the disability and needs of any person theretofore placed on such blind list; and in case said commissioners find that any person is not qualified to draw further relief, or that such disability has been removed in whole or in part, then said commissioners may at any time thereafter during such year modify or change the amount theretofore found necessary for such relief, or remove such person from the list qualified to draw any money for relief.

Sec. 9. Whoever, to secure for himself or another the benefit provided in this chapter for needy blind persons, makes a false statement shall, upon conviction, be deemed guilty of perjury.

Sec. 10. This act shall take effect upon its passage.

Approved April 7, 1915.

NEW HAMPSHIRE.

(Abstract taken from the last United States Census.)

Exemption of the Blind.

1901.

The blind are specially exempted from the laws applicable to tramps.

NEW JERSEY.

1873.

An Act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this state.

1. That an annual sum, not exceeding three hundred dollars for each person, be appropriated out of any moneys in the treasury not otherwise appropriated to be applied under the direction of the Governor or person administering the government, for the instruction or placing for instruction in some suitable and convenient institution such indigent deaf and dumb, blind or feeble-minded persons or partially deaf and dumb, or partially blind inhabitants of this state, as may be selected under this act.

2. That whenever the Governor, or persons administering the government shall be satisfied that the resources of any pupil applying for the benefit of this act or those of his or her parents or guardians, are insufficient to defray the expenses of clothing such pupil, then the Governor, or person administering the government, may cause an additional sum to be paid, not to exceed thirty dollars per annum for each pupil.

P. L. 1904, p. 268.

Amendment to P. L. 1873, p. 45.

Section 3 be and the same is hereby amended to read as follows:

3. That all applications for the admission of pupils must be accompanied by the certificate of two reputable freeholders, residents of the city, town or township in which the applicant resides, attested before a magistrate, and said certificate shall clearly set for the age, circumstances and capacity of such pupil and of the ability of the parent, parents, guardian or custodian of such pupil to pay any part of the expense of tuition, care and maintenance of the person in whose behalf such application may be made: Provided, that such certificate shall also be approved by the judge of the Court of Common Pleas of the county in which such applicant resides, as to the ability or inability of the parent, parents, guardian or custodian of such child to pay any part of the expenses of tuition, care and maintenance: and such judge shall, before approving such certificate satisfy himself as to the ability of the parent, parents, guardian or custodian of such to pay all or any part of such expense.

4. That the Governor, or person administering the government shall have the power to receive and decide upon all applications for the benefit of the legislature provisions made or to be made for the instruction of such beneficiaries.

5. That the Governor, or person administering the government, shall have the power to withdraw the name of any pupil from the list of those instructed at the charge of the state if it appears that such pupil was improperly admitted, or after a fair trial to be found incapable of instruction, and in such case due notice shall be given by the Governor to the principal of any institution in which such pupil so withdrawn is an inmate.

6. That the term of instruction shall be three years, but may be extended to a term not exceeding in all eight years, and the application

for the extended term shall be indorsed by the principal of the institution to which the beneficiary may have been sent. P. L. 1875, p. 11, Sec. 1. That whenever any person entitled to the benefits of this act and who shall have been in any institution for the term of eight years, shall make application to the Governor, indorsed by the principal of such institution, for an extension of term, such application can be granted, and the term of years shall be left to the discretion of the Governor.

7. That it shall be the duty of the Governor, or person administering the government, to request the principals of the several institutions to which such pupils shall be sent, to transmit to him every year, statements in writing of the progress in learning and general standing of each pupil supported by the state.

P. L. 1910, p. 211.

Amendment to P. L. 1893, p. 327.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

8. I. Section 1 of the said act be and the same is hereby amended so that henceforth said Section 1 shall read as follows:

Any deaf and dumb, blind or feeble-minded person, of a suitable age and capacity for instruction, may be entitled to the benefits of this act.

9. That whenever any person entitled to the benefits of this act shall become a legal charge upon the overseers of the poor of any township in this state, it shall be the duty of such overseer or overseers to make immediate application in behalf of such person in the manner hereinbefore prescribed; and if such person shall be placed in any institution for instruction, then the expenses of conveying him or her with suitable clothing during his or her term of instruction shall be defrayed by such township.

10. That each beneficiary of the State of New Jersey in the institutions for the instruction of blind persons, shall be entitled to a Vienna writing box, the costs of the same not to exceed the sum of ten dollars, which such shall be paid on recommendation of the Governor out of the state treasury upon a warrant from the Comptroller.

11. That whenever the Governor, or person administering the government, shall be satisfied that the resources of any person applying for the benefit of this act, or those of his or her parents or guardians are sufficient to defray a part of the expense of instructing such person, but not sufficient to defray the whole expense, then the Governor, or person administering the government aforesaid, may cause to be paid such proportion as to him may seem just and equitable, of the annual expense of educating such person.

12. That all acts heretofore passed, and the several supplements thereto, in reference to the maintenance, support and instruction of the deaf and dumb, blind and feeble-minded persons, inhabitants of this state, be and the same are hereby repealed.

15. Sec. 2. That an annual sum not exceeding two hundred and thirty dollars for the training and maintenance of each female hereinbefore described shall be appropriated out of any moneys not otherwise appropriated.

16. Sec. 3. That this act shall not conflict with Sections 3, 4 and 11 of the General Act to which this is a supplement.

P. L. 1904, p. 267.

Supplement to P. L. 1873, p. 45.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. That any parent, parents, gurdian or custodian who shall make application to have any person admitted to any institutions coming under the provisions of this act shall in such application waive all right to remove such inmate of either permanently or for a limited time; provided, that any inmate may be discharged upon request of the Governor of this state on the recommendation of the principal, superintendent or person at the head of such institution; and provided further, that the person at the head of such institution may grant a leave of absence to any inmate for a limited time.

P. L. 1909, p. 208.

An Act constituting a commission for ameliorating the condition of the blind, and defining its powers and duties.

Be it enacted by the Senate and the General Assembly of the State of New Jersey:

1. That the Governor of this state appoint three citizens thereof to constitute a commission for the purpose of ameliorating the condition of the blind. Each of the members of said commission shall hold office for a term of three years and until their successors are appointed and qualified. Any vacancy occurring in the said commission shall be filled by the Governor for the unexpired term only. The members of said commission shall receive no salary, but shall receive their actual and necessary expenses incurred in carrying out the provisions of this act.

2. It shall be the duty of said commission to provide any and all means which, in their judgment, shall be deemed feasible for ameliorating the condition of the blind, and by reports to be made to the Governor from time to time as said commission may deem proper to recommend means and method for the prevention of blindness. Said commission shall prepare and maintain a register of all the blind in this state. It shall be the duty of every physician to report to said commission each and every case of defective vision where, in the judgment of said physician, the person suffering from said defective vision may become permanently blind.

For the purpose of carrying out the provisions of this act, including the necessary expenses of said commission, the sum of fifteen hundred dollars is hereby appropriated to be paid to said commission from time to time in the manner provided by law.

This act shall take effect immediately.

P. L. 1910, p. 330.

An Act concerning admissions to feeble-minded, epileptic, tubercular and blind institutions.

1. All applications for admission to any institutions supported in whole or in part by this state and operated for the care and custody of the feeble-minded, epileptic or tubercular patients of the state and for the admission of blind persons of this state in any institution for

the blind, shall be filed in the office of the Commissioner of Charities and Corrections, and admission to these institutions shall be upon the certificate of said Commissioner of Charities and Corrections, upon his being satisfied that all the provisions of law relating thereto have been complied with, and that the medical director or superintendent of such institutions has approved the application, and that it is in all respects a proper case for admission into such institution.

2. After he shall approve of said application it shall be the duty of the Commissioner of Charities and Corrections to make an investigation as to the financial condition of the party or parties making the application for the purpose of ascertaining whether it is possible for them to pay in whole or in part for the maintenance of the patient; and he shall keep an accurate record of all requests for admission, admissions, discharges, deaths, etc., with relation to patients, and to make such rules and regulations for the care and custody of such records as in his judgment he deems to be wise or useful for the state.

3. All acts or parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

P. L. 1910, p. 334.

Further Supplement to P. L. 1873, p. 45.

1. Any male person admitted to any of the institutions of this state coming under the provisions of this act may be paroled into the custody of his parents, guardians or any fit person under such conditions that he may be liable at any time to be taken back to such institution, if the conditions of his parole are violated, or if, in the judgment of the Commissioner of Charities and Corrections of this state, for any cause his welfare may so require; provided that in case of such parole any liability upon the state for further compensation to support any such inmate shall cease during the time such inmate is out on parole.

P. L. 1910, p. 519.

Appropriations:

For clothing, maintenance, support and instruction of the blind persons, inhabitants of this state, seventeen thousand five hundred dollars (\$17,500).

JOINT RESOLUTION NO. 8.

Joint Resolution authorizing the appointment of a commission to investigate and report upon the condition of the blind residents of this State, to investigate the methods by which other states provide for the blind, and to recommend remedies by which the condition of the blind in this State may be ameliorated.

Be it Resolved by the Senate and General Assembly of the State of New Jersey:

1. The Governor is hereby authorized to appoint a commission of five persons, two of whom may be women, to examine the condition of the blind in this State, and the provisions made and methods employed by other States to ameliorate the condition of their blind. This commission shall report to the next Legislature, and make such recommendations as may seem best suited for advancing the interests of the blind.

2. The members of said commission shall have power to select and employ a clerk and other necessary assistants.

3. The commissioners shall serve without compensation, but shall receive their actual expenses and disbursements, to pay which, and the compensation and expenses of the clerk and other assistants, the sum of one thousand dollars is hereby appropriated, which expenses and disbursements shall be paid by the State Treasurer, upon warrant of the State Comptroller, upon itemized vouchers therefor, certified to by the commissioners and approved by the Governor.

4. This resolution shall take effect immediately.

Approved April 9, 1908.

Chapter 82, P. L. 1911.

An act to amend an act entitled "An act constituting a commission for ameliorating the condition of the blind, and defining its powers and duties, approved April sixteenth, one thousand nine hundred and nine.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. Section one of the act to which this act is an amendment shall be amended so as to read as follows:

1. The Governor of this State shall appoint five citizens thereof to constitute a commission for the purpose of ameliorating the condition of the blind, at least one of whom shall be a blind person.

Each of the members of said commission shall hold office for a term of three years and until their successors are appointed and qualified. Any vacancy occurring in said commission shall be filled by the Governor for the unexpired term only.

The members of said commission shall receive no salary, but shall receive their actual and necessary expenses incurred in carrying out the provisions of this act.

Approved March 30, 1911.

*An Act to amend an act entitled "An Act constituting a commission for ameliorating the condition of the blind, and defining its powers and duties," approved April sixteenth, one thousand nine hundred and nine.

Chapter 234, P. L. 1911.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. Each board of education in this State shall ascertain what children, if any, there are in the public schools who are three years or more below the normal. In each school district in this State in which there are ten or more children, three years or more below the normal, the board of education thereof shall establish a special class or classes for their instruction, no class, however, to contain more than fifteen children. In each school district in this state where there are ten or more blind or deaf children who are not now cared for in an institution, a special class or classes shall be organized for their education, no such class, however, to contain more than fifteen pupils. Such classes shall be discontinued when proper provision is made for the care and education of such blind and deaf children by the state. The

medical examiner of the district shall examine the children in special classes at least once in every three months.

2. This act shall take effect immediately.

Approved April 27, 1911.

*A supplement to an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

An act to provide tuition for the higher education of the blind.

Chapter 336, Laws of 1912.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. Whenever any blind person, who is a citizen of this state, desires to attend any college, university, technical school or professional school, authorized by law to grant degrees, other than an institution established for the regular instruction of the blind, shall make application for such purpose to the Commissioner of Education, and be designated by him as a fit person to be received and accepted as a student in any of such institutions, such applicant shall thereupon be entitled to have the aid and assistance hereinafter provided for; provided, that such blind person shall also prove to the satisfaction of said commission that he is financially unable to defray the expense, or any part thereof, hereinafter specified.

2. There shall be paid by the state for the use of such student a sum not to exceed two hundred dollars (\$200) per annum, with which to defray the fee charged by any such institution, and also the further sum of three hundred dollars (\$300) per annum with which to employ a person or persons to read to such student from text-books and pamphlets which shall be necessary for such student to use in connection with the pursuit of his or her studies at the college, university or school where he or she shall be matriculated.

2. It shall be necessary in every case for any such student to receive his or her tuition from a college, university, technical school or professional school, established and located within the state of New Jersey.

4. Any moneys to be paid under the authority of this act shall be paid quarterly, after the beginning of the school year of any college, university, technical or other school, where any blind student shall be matriculated, by the treasurer of the state, on the warrant of the comptroller to the treasurer of any such college, university, technical or other school, upon his presenting an account showing the actual number of blind students matriculated and attending the institution of which he is treasurer, which account shall be verified by the president of any such institution.

5. It shall be necessary for every college, university, technical or other school in which any blind student is matriculated to furnish to the commissioner of education a quarterly report showing the progress or status of every such blind student matriculated in such college, university, technical or other school, and in the event that any of said reports shall disclose the fact that any student is unable to keep up with his or her studies and acquire the education provided for by any

such college, university, technical or other school, or that any of such students are not taking advantage of the opportunities provided for him or her by the terms of this act, then in every such case, if it shall be the judgment of the commissioner of education that the aid and assistance offered and provided by this act shall be denied and withdrawn from any such student, then the same, on the recommendation and certificate of said Commissioner of education, shall be withdrawn from any such student, and the college, university, technical or other school in which any such student is entered or matriculated, shall be notified by the State comptroller of every such action.

6. This act shall take effect immediately.

Approved April 1, 1912.

An Act to amend an act entitled "An act to regulate the importation of dependent children, and providing a penalty for violation thereof," approved May tenth, one thousand nine hundred and seven, so as to admit the importation of blind children under the age of twelve years.

Chapter 201, Laws of 1912.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. Paragraph two of the act referred to in the title of this act is hereby amended to read as follows:

2. Such person, corporation, association or institution, before bringing or sending or causing to be brought or sent, any such child into this state, shall first give an indemnity bond in favor of the state of New Jersey in the penal sum of one thousand dollars, to be approved by said commissioner of charities, conditioned as follows: That they will not send or bring, or cause to be brought or sent into this state any child that is incorrigible, or one that is of unsound mind or body; provided, that nothing herein contained shall prevent the importation of blind children under the age of twelve years, subject to all other consistent provisions of this act; that they will at once, upon the placement of any child, report to the commissioner of charities its name and age, and the name and residence of the person with whom it is placed; that if any such child shall, before it reaches the age of twenty-one years, become a public charge, they will, within thirty days after written notice shall have been given them of such fact by the commissioner of charities, remove such child from the state; and if any such dependent child shall be convicted of crime or misdemeanor and imprisoned within three years from the time of its arrival within the state, such person, corporation, association or institution will remove from the state such child immediately upon its being released from such imprisonment, and upon failure, after thirty days' notice and demand to remove as aforesaid, any such child who shall become a public charge as aforesaid, or who shall have been convicted as aforementioned, in either event such person, corporation, association or institution shall, at once and thereby forfeit such sum as the state, or any county or municipality thereof shall have expended in the care, maintenance or prosecution of such child; that they will place or cause to be placed, each of such dependent children under written contract, which will secure to such child a proper home, and will make the person so receiving such child responsible for its proper care, education

and training; that they will properly supervise the care and training of each of such children, and that each of such children shall be visited at least once a year by a responsible agent of the person, corporation, association or institution so placing, or causing to be placed, such child as herein provided; that they will make to the said commissioner of charities such reports of their work as said commissioner of charities from time to time may require.

2. All acts or parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved March 27, 1912.

Chapter 17, Laws of 1916.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. It shall be lawful for the commission for ameliorating the condition of the blind, during each fiscal year, to expend such sum as shall be annually appropriated by the legislature for that purpose, for the practical encouragement, by loans of capital, of stock in trade, or of tools and apparatus, of blind persons desirous of earning a living by any form of business or productive activity. Such payments shall be made upon bills approved by the commission for ameliorating the condition of the blind, upon the warrant of the comptroller, by the treasurer of this state. Said commission is hereby also authorized and empowered to loan any of the moneys provided for pursuant to the provisions of this act and for the amelioration of the blind, and to contract for the repayment of the same, and the moneys when repaid shall form a part of the fund to be kept and maintained by the aforesaid commission, to be used by it pursuant to the provisions of this act.

2. This act shall take effect immediately.

Approved March 3d, 1916.

*A Supplemental to an act entitled "An act constituting a commission for ameliorating the condition of the blind, and defining its powers and duties," approved April sixteenth, nineteen hundred and nine.

Chapter 14, P. L. 1916.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. Section one of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:

1. That an annual sum, not exceeding three hundred dollars for each pupil, be appropriated out of any moneys in the treasury not otherwise appropriated, to be applied under the direction of the Governor or person administering the government, for the instruction or placing for instruction in some suitable and convenient institution such indigent deaf and dumb, blind or feeble-minded persons, or partially blind, inhabitants of this state, as may be selected under this act; provided, however, that whenever it shall appear that it is necessary for hospital care, instruction and support of blind babies and young children too frail and backward to enter other institutions for the blind, they shall be sent to some suitable and convenient institution in this state having special care of blind babies and children where such hospital care, instruction and support can be provided, and that in all

such cases the rate to be paid by this state for such hospital care, instruction and support shall not exceed the sum of four hundred and fifty dollars per annum, including clothing and the necessary transportation to and from their homes; and provided further, however, that for the instruction and support of any blind child placed in any institution outside of this state the rate to be paid for such instruction and support shall not exceed four hundred dollars per annum, including clothing.

This act shall take effect immediately.

Approved March 16, 1916.

*An act to amend an act entitled "An act for the instruction and maintenance of indigent deaf and dumb, blind and feeble-minded persons, inhabitants of this state," approved March twelfth, one thousand eight hundred and seventy-three.

Law Pertaining to Prevention of Blindness.

Chapter 22, Laws of 1916.

*Be it enacted by the Senate and General Assembly of the state of New Jersey:

1. The commission for ameliorating the condition of the blind, constituted and appointed pursuant to the provisions of the act to which this act is a supplement, are hereby authorized and empowered to make inquiries concerning the causes of blindness, to learn what proportion of the causes of blindness of inhabitants of this state are preventable, and to co-operate with the state board of health and other board, body or official of this state which may be interested in the subject matter of this act, in adopting and enforcing proper and preventive measures. The said commission may expend such sum of money for the purpose of carrying out the provisions of this act as may be appropriated by any annual or supplemental appropriation bill, which said sum, when so appropriated, or any part thereof, shall be paid out of the treasury of this state, on bills duly approved by the commission for ameliorating the condition of the blind in this state.

2. This act shall take effect immediately.

Approved March 7, 1916.

*A supplement to an act entitled "An act constituting a commission for ameliorating the condition of the blind, and defining its powers and duties," approved April sixteenth, nineteen hundred and nine.

NEW MEXICO.

Chapter 33.

An Act for the Compulsory Education of the Blind.

S. B No. 54, as amended, approved March 9, 1915.

Be it enacted by the Legislature of the State of New Mexico:

Sec. 1. Every parent, guardian or person having control or custody of any child who is between the ages of five and twenty-one years, and who, on account of blindness cannot be educated in the public schools, shall send such child to the New Mexico Institute for the Blind at Alamogordo during each school year for the period of seven years, unless such child be taught such branches as are taught in said institute in a private school, at home, or in a similar institute in another state, or unless such child be suffering from physical or men-

tal disability sufficient to incapacitate him or her from attending such institute. It shall be the duty of the superintendent of such institute to see that each pupil in said institution shall have every reasonable opportunity to practice its own religious belief, and that no impediment be placed in the way of such pupils in the practice of their own respective religious belief; provided, that whenever admission to said institute is requested for any child, afflicted with blindness, under five years of age, the board of regents or superintendent thereof is hereby empowered to admit such child, under rules and regulations established by said board.

Sec. 2. That the superintendent of such institute, out of the appropriation made for said institute, shall pay for the transportation of such children to and from such institution whenever the parents, guardian or person having control of such child shall be unable to pay for same; provided, that said board of regents shall prescribe what portion of said appropriation shall be used for said transportation purposes.

Sec. 3. Superintendents of schools in the several counties of the state, on the first day of August and the first day of January in each year, shall furnish the superintendent of the New Mexico Institute for the Blind a complete list of all such children in their respective counties, and it shall be the duty of the superintendent of such institute to communicate to the parent, guardian or person having custody or control of each child the provisions of this act.

Sec. 4. Any person who shall violate this act, upon conviction thereof, shall be punished by a fine of not more than twenty-five dollars or by imprisonment for not more than thirty days. Provided, that this section shall not apply in case the child of any such parent, guardian or other person cannot be admitted to said institute under the rules and regulations thereof.

Sec. 5. It is necessary for the preservation of the public peace and safety of the inhabitants of this state that this act shall become effective immediately; therefore it shall be in full force from any after its passage and approval, if passed by two-thirds of each house, otherwise it shall become effective according to the general provisions of the constitutions.

(These two sheets embody all the laws of this state governing the blind and the blind institutions at this time).

CHAPTER ON STATE INSTITUTIONS.

Para. 5109. Management—Trustees—Qualification and Terms—Powers.

Sec. 92. The management and control of each institutions mentioned in this article, the care and preservation of all property of which they shall become possessed, the erection and construction of all buildings necessary for their use, and the disbursement and expenditure of all moneys appropriated by the State of New Mexico, or which shall otherwise come into their possession, shall be vested in a board of five trustees, one of such boards for each of said institutions. Said trustees shall possess the same qualifications, shall be appointed in the same manner, and their terms of office shall be the same and the vacancies therein shall be filled in the same manner as is provided by law with

reference to the regents of the State University at Albuquerque, New Mexico. Said trustees and their successors in office shall constitute a body corporate, under the name and style of "The Trustees of the New Mexico Asylum for the Deaf and Dumb," "The Trustees for the New Mexico Reform School," "The Trustees of the New Mexico Institute for the Blind" and "The Trustees of the Miners' Hospital of New Mexico," respectively, with the right as such of suing and being sued, of contracting and being contracted with, of making and using a common seal and altering the same at pleasure, and of causing all things to be done necessary to carry out the provisions of this article. A majority of such board of any of the above institutions shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time. The officers of each of said boards shall be elected in the same manner and possess the same qualifications as the officers of the University of New Mexico now possess; and the secretary and treasurer respectively of each of such institutions located as aforesaid shall each give bond in the sum of ten thousand dollars (\$10,000) to the State of New Mexico, with two or more sufficient sureties resident of this state, or by duly authorized surety company, conditioned for the faithful performance of their duties, and that they will faithfully account for and pay over to the person or persons entitled thereto, at the time and in the manner provided by law, or pursuant to contract, all moneys which shall come into their hands as such officers, which bond shall be approved by the judge of the district court within whose district the said institution is located, and after approval shall be filed and recorded in the office of the Secretary of State. The governor shall be ex-officio a member of each of said boards, but shall not have the right to vote or be eligible to office.

Act of Feb. 12, '03; L. '03, C. 2, Par. 6.

Para. 5110. Board of Trustees—Duties and Powers.

Sec. 93. The boards of each of said institutions shall have power, and it shall be their duty, to pass and enforce by-laws, rules and regulations for the government of such institutions, for the proper carrying out of their several objects, not in conflict with the laws of the State of New Mexico, or any act of congress, and to provide all proper and necessary books, apparatus, instruments, medicines, clothing, food and supplies, and other materials or things necessary for the proper conduct of the several institutions hereinbefore named and the care, support and protection of the inmates thereof when necessary; also to employ all teachers, physicians, wardens or superintendents and employes and to prescribe the duties and compensation of each, and they shall have full power to remove or discharge any officer or employe appointed or selected by them in any of such institutions, when in their judgment the interest of such institution shall require.

NEW MEXICO.

1915.

(Abstract taken from the last United States Census)

Exemption of the Blind.

The commissioners of any community ditch may, if they think it proper, allow blind men or their widows to irrigate free of charge

any portion of their land not to exceed three acres. Such a person must have an interest and water right in the ditch.

NEW YORK.

1867.

An Act to define the objects of the New York State Institution for the Blind, and to provide for its management. Passed April 24th, 1867.

The people of the State of New York, represented in Senate and Assembly, do enact as follows:

Sec. 1. All blind persons of suitable age and capacity for instruction, who are legal residents of the state, shall be entitled to the privileges of the New York Institution for the Blind, without charge, and for such a period of time in each individual case as may be deemed expedient by the board of trustees of said institution; provided that whenever more persons apply for admission at one time than can be properly accommodated in the institution, the trustees shall so apportion the number received, that each county may be represented in the ratio of its blind population to the total population of the state; and provided further that children of citizens who died in the United States service, or from wounds received therein during the late rebellion, shall take precedence over all others.

2. Blind persons from without the state may be received into the institution upon the payment of an adequate sum, fixed by the trustees, for their boarding and instruction; provided that such applicant shall in no case exclude those from the State of New York.

3. Applications for admission into the institution shall be made to the board of trustees, in such manner as they may direct; but the board shall require each application to be accompanied by a certificate from the county judge of the county where the applicant resides, setting forth that the applicant is a legal resident of the town, county and state claimed as his or her residence.

4. The primary object of the institution shall be to furnish to the blind children of the state the best known facilities for acquiring a thorough education, and train them in some useful profession or manual art by means of which they may be enabled to contribute to their own support after leaving the institution; but, it may likewise, through its industrial department, provide such of them with appropriate employment and boarding accommodations as find themselves unable, after completing their course of instruction and training, to procure these elsewhere for themselves. It shall, however, be in no sense an asylum for those who are helpless from age, infirmity or otherwise, or a hospital for the treatment of blindness.

5. Upon the expiration of the term of office of the present board of trustees, the Governor shall, by and with the consent of the Senate, appoint their successors, two of whom shall reside in the county wherein said institution is located, and a majority of whom shall reside within fifty miles of said institution, and at the first meeting of said board, after their appointments aforesaid, they shall divide themselves by lot into three equal classes, who shall serve for two, four and six years, respectively from the date of their appointments, and until their successors shall have been appointed, and every alternate year thereafter the Governor shall, by and with the consent of the Senate, ap-

point three trustees to fill the places of those whose terms of service will have expired in accordance with the provisions of this section.

6. In case of declension of any member of said board of trustees to act under his appointment or of the occurrence of any other casual vacancy in the board, the Governor shall forthwith appoint some suitable person to fill such vacancy, and the member so appointed shall serve out the term of his predecessor.

7. The trustees shall receive no compensation as such, but they may allow themselves mileage at the rate as that paid to members of the legislature, for any distance actually traveled in the service of the institution. Nor shall any trustee be pecuniarily interested in any contract for buildings pertaining to the institution, or in furnishing supplies therefor.

8. The board of trustees shall have charge of all the affairs of the institution, with power to make all necessary bylaws and regulations for their government and the proper management of the institution, as well as for the admission of pupils, and to do all else which may be found necessary for the advancement of its humane design.

9. They shall elect from their own number a president, treasurer and secretary, together with such standing committees as they may deem necessary, and adopt a common seal for the institution.

10. The treasurer shall have the custody of all funds of the institution and pay out the same only upon properly authenticated orders of the board or its executive committee. Before entering upon the duties of his office, he shall execute and file in the office of the Comptroller a bond with such sureties and in such amount of penalty as the Comptroller shall require and approve, conditioned for the faithful discharge of his duties as such treasurer. (As amended by Chapter 154 of the Laws of 1905.)

11. The trustees shall have power to appoint a competent and experienced superintendent, who shall be the chief executive officer of the institution, together with an efficient corps of instructors and other subordinate officers; prescribe the duties and terms of service of the same; fix and pay their salaries and, for just cause, remove any or all of them from office. They shall likewise employ the requisite number of servants and other assistants in the various departments of the institution and pay the wages of same.

12. They shall purchase all furniture, apparatus and other supplies necessary to the equipment and carrying on of the institution in the most efficient manner.

13. When any blind person shall, upon proper application, be admitted into the institution, it shall be the duty of his or her parents, guardians or other friends, to suitably provide such person with clothing at the time of entrance and during continuance therein, and likewise to defray his or her traveling expenses to and from the institution at the time of entrance and discharge, as well as the beginning and close of each session of the school, and at any other time when it shall become necessary to send such person home on account of sickness or other exigency. And whenever it shall be deemed necessary by the trustees to have such person permanently removed from the institution in accordance with the by-laws and regulations thereof, the same shall

be promptly removed upon their order, by his or her parents, guardians or other friends.

14. *Neglect to Provide the Same.* If the friends of any pupil from within the state of New York shall fail through neglect or inability to provide the same with proper clothing or with funds to defray his or her necessary traveling expenses to and from the institution, or to remove him or her therefrom, as required in the preceding section, the trustees shall furnish such clothing, pay such traveling expenses, or remove such pupil to the care of the overseers of the poor of his or her township, and charge the cost of the same to the county to which the pupil belongs, provided that the annual amount of such expenditures on account of any one pupil shall not exceed the sum of sixty dollars. And in the case of the death of any pupil at the institution, whose remains shall not be removed or funeral expenses borne by the friends thereof, the trustees shall defray the necessary burial expenses, and charge the same to his or her county as aforesaid. Upon the completion of their course of training in the industrial department, the trustees may furnish to such worthy poor pupils as may need it, an outfit of machinery and tools for commencing business, at a cost not exceeding seventy-five dollars each, and charge the same to the proper county as aforesaid. (As amended by chapter 463 of the Laws of 1873, 1.)

15. On the first day of October in each year, the trustees shall cause to be made out against the respective counties concerned, itemized accounts, separate in each case, of the expenditures authorized by the preceding section of this act, and forward the same to the board of supervisors chargeable with the account. The board shall thereupon direct the county treasurer to pay the amount so charged to the treasurer of the institution for the blind on or before the first day of March next ensuing.

16. The counties against which the said accounts shall be made out as aforesaid, shall cause their respective treasurers, in the name of their respective counties to collect the same, by legal process if necessary, from the parents or estates of the pupils who have the ability to pay, on whose account the said expenditures shall have been made; provided that at least five hundred dollars' value of the property of such parents or estate shall be exempt from the payment of the accounts aforesaid.

17. The institution shall be entitled to receive copies of all books and other publications which are distributed gratuitously by the state to township or county libraries, common schools, academies, colleges and societies. It may also receive in the name of the state, bequests or donations of money or any kind of property, but such money or property shall in all cases belong to the state, and be subject to its control; provided that the same shall not be diverted from the particular object for which it shall be bequeathed or donated.

18. The board of trustees shall keep full and complete records of their proceedings and make an annual report of the same to the legislature, at the commencement of the regular session thereof, strictly accounting in detail for their expenditures, on account of the institution, during the preceding fiscal year, of the state, setting forth the

progress and condition of the several departments of the institution, making such suggestions concerning its future management as they may deem essential, and submitting proper estimates of the funds needed for its support, as well as for buildings and all other purposes.

19. The state treasurer is hereby directed to pay over to the trustees, upon the warrant of the comptroller, all moneys which shall hereafter be appropriated on account of the New York State Institution for the Blind; general appropriations for the current support of the institution, to be paid in equal quarterly installments, and specific appropriations for building and other purposes, to be paid when needed by the trustees.

20. All drafts upon the state treasury on behalf of the institution shall be based upon order of the board of trustees, signed by the president and secretary of the same and attested by the common seal of the institution.

Chapter 104.

An Act in relation to trustees and directors of charitable and benevolent institutions.

Passed March 12, 1872.

The people of the state of New York, represented in Senate and Assembly, do enact as follows:

Sec. 1. No trustee or director of any charitable or benevolent institution, organized either under the laws of this state or by virtue of a special charter, shall receive, directly or indirectly, any salary or emolument from said institution, nor shall any salary or compensation whatever be voted or allowed by the trustees or directors of any institution organized for charitable or benevolent purposes, to any trustee or director of said institution for services, either as trustee or director, or in any other capacity.

Chapter 616.

An Act to amend chapter seven hundred and forty-four of the Laws of eighteen hundred and sixty-seven, entitled "An act to define the objects of the New York State Institution for the Blind and to provide for its management," passed April twenty-fourth, eighteen hundred and sixty-seven.

Passed May 9, 1872, three-fifths being present.

The people of the state of New York, represented in Senate and Assembly, do enact as follows:

Sec. 1. Section three of chapter seven hundred and forty-four of the Laws of eighteen hundred and sixty-seven, entitled "An act to define the objects of the New York State Institution for the Blind, and to provide for its management," passed April twenty-four, eighteen hundred and sixty-seven, is hereby amended so as to read as follows:

2. Applications for admission into the institution shall be made to the board of trustees in such manner as they may direct, but the board shall require such application to be accompanied by a certificate from county judge or county clerk of the county or the supervisor or town clerk of the town or the mayor of the city where the applicant

resides, setting forth that the applicant is a legal resident of the town, county and state claimed as his or her residence.

. This act shall take effect immediately.

50. *Visitations and Reports by Managers or Trustees.* The board of managers or trustees of each of the state charitable institutions, and of the New York State School for the Blind, in addition to their other duties now required by law shall hold monthly meetings at the institution under its charge and, by a majority of its members, visit and inspect the institution for which it is appointed at least monthly, and shall make a written report to the Governor, the state board of charities and the fiscal supervisor within ten days after each visitation, to be signed by each member making such visitation. Such reports shall include the minutes of the monthly meetings and shall state in detail the condition of the institution visited and of its inmates, and such other matters pertaining to the management and affairs thereof as in the opinion of the board should be brought to the attention of the Governor, the state board of charities or the fiscal supervisor of state charities and may contain recommendations as to needed improvements in the institution or its management. Managers or trustees who fail to attend the meetings of their respective boards or fail to make such visitations for three successive months, shall be deemed to have vacated their membership in such boards of managers or trustees, whereupon the Governor shall fill the vacancies so created as provided by law, unless the absence of such managers or trustees shall be excused by the Governor. The board of managers or trustees of each of the state charitable institutions, the New York State School for the Blind and the reformatories shall also, at each monthly inspection, pass upon all articles abandoned for use during the month and include in its report to the fiscal supervisor a list of such articles showing the action of the board. (As amended by chapter 252 of the Laws of 1902, chapter 473, of the Laws of 1903, chapter 685 of the Laws of 1906, chapter 283 of the Laws of 1907, and chapter 24 of the Laws of 1908.)

50-a. *Appointment and Removal of Managers or Trustees.* Each of the state charitable and reformatory institutions and the State School for the Blind shall be under the control and management of boards of seven managers to be appointed for each institution by the Governor by and with the advice and consent of the Senate. The terms of office of said managers shall be five years and they shall be so appointed that the terms of at least one of the members of each board shall expire on the first Tuesday of February of each year. All vacancies shall be filled by the Governor and the person appointed to fill a vacancy in the board of managers of any institution shall hold office for the remainder of the term of the person whom he succeeds. In the discretion of the Governor persons of either sex may be appointed as managers of such institutions. Such managers shall serve without compensation but shall be entitled to their actual and necessary traveling expenses in attending meetings of the boards of which they are members. The Governor shall have the power to remove any member or members of a board of managers for cause after an opportunity to be heard. Managers and trustees now serving as members of boards which have more than seven members may be continued in office until the expiration

of the term for which they were appointed but no new appointments shall be made to such boards until their membership is reduced to less than seven. Boards now consisting of less than seven members shall be enlarged by additional appointments to be made before the end of the fiscal year. All persons now serving as members of boards of managers or trustees of the state charitable and reformatory institutions shall be eligible to reappointment as managers or trustees at the discretion of the Governor.

Chapter 556, Laws of 1895.

1. The New York State Institution for the Blind as the same was authorized to be established by chapter five hundred and eighty-seven of the laws of eighteen hundred and sixty-five and the acts supplemental thereto shall hereafter be known and designated as the "New York State School for the Blind."

2. This act shall take effect immediately.

THE CONSOLIDATED SCHOOL LAW.

Chapter 556, Laws of 1894.

Article 14.

41. All deaf and dumb persons resident in this state and upwards of twelve years of age, who shall have been resident in this state for one year immediately preceding the application, or, if a minor, whose parents or parent, or, if an orphan, whose nearest friend shall have been resident in this state for one year immediately preceding the application, shall be eligible to appointments as state pupils in one of the deaf and dumb institutions of this state, authorized by law to receive such pupil: and all blind persons of suitable age and similar qualifications shall be eligible to appointment to the Institution for the Blind in the city of New York, or in the village of Batavia, as follows: All such as are residents of the counties of New York, Kings, Queens, Suffolk, Nassau, Richmond, Westchester, Putnam and Rockland shall be sent to the Institution for the Blind in the city of New York. Those who reside in other counties of the state shall be sent to the Institution for the Blind in the village of Batavia. All such appointments, with the exception of those to the Institution for the Blind in the village of Batavia, shall be made by the superintendent of public instruction upon application, and in those cases in which, in his opinion, the parents or guardians of the applicants are able to bear a portion of the expense, he may impose conditions whereby some proportionate share of expense of educating and clothing such pupils shall be paid by their parents, guardians or friends in such manner and at such times as the superintendent shall designate, which conditions he may modify from time to time, if he shall deem it expedient to do so. (As amended by chapter 62 of the Laws of 1903.)

Chapter 201.

An act providing for the drills in the schools of this state. Became a law March 27, 1901, with the approval of the Governor.

The people of the state of New York, represented in Senate and Assembly, do enact as follows:

Passed, three-fifths being present.

Sec. 1. It shall be the duty of the principal or other person in charge of every public or private school or educational institution within the state, having more than one hundred pupils, to instruct and train the pupils by means of drills, so that they may in a sudden emergency be able to leave the school building in the shortest possible time and without confusion or panic. Such drills or rapid dismissals shall be held at least once in each month.

2. Neglect by any principal or other person in charge of any public or private school or educational institution to comply with the provisions of this act shall be a misdemeanor punishable at the discretion of the court by fine not exceeding fifty dollars. Such fine to be paid to pension fund of the local fire department where there is such a fund.

3. It shall be the duty of the board of education or school board or other body having control of the schools in any town or city to cause a copy of this act to be printed in the manual or handbook prepared for the guidance of teachers, where such manual or handbook is in use or may hereafter come into use.

4. The provisions of this act shall not apply to colleges or universities.

5. This act shall take effect June first, nineteen hundred and one.

NEW YORK.

1907.

Article XXXVIII, Section 926.

Education Law.

Employment of Reader for Blind Students. Whenever a blind person, who is a citizen of this state and a pupil in actual attendance at a college, university, technical or professional school located in this state and authorized by law to grant degrees other than an institution established for the regular instruction of the blind, shall be designated by the trustees thereof as a fit person to receive the aid hereinafter provided for, there shall be paid by the state for the use of such pupil the sum of three hundred dollars per annum with which to employ persons to read to such pupil from text book and pamphlets used by such pupil at such college, university or school.

Such money shall be paid annually, after the beginning of the school year of such institution, by the treasurer of the state on the warrant of the comptroller, to the treasurer of such institution, on his presenting an account showing the actual number of blind pupils matriculated and attending the institution, which account shall be verified by the president of the institution and accompanied by his certificate that the trustees have recommended the pupils named in said account as hereinbefore provided. The trustees of any of the said institutions shall recommend no blind person who is not regularly matriculated and who is not in good and regular standing, and who is not working for a degree from the institution in which he is matriculated; and no blind person shall be recommended who is not doing the work regularly prescribed by the institution for the degree for which he is a candidate. The moneys so paid to any such institution shall be disbursed for the purpose aforesaid by and under the direction of its board of trustees.

NEW YORK CITY BILL.

State of New York.

February 5, 1908.

An act to amend the Greater New York charter by providing for an appropriation for the International Sunshine Branch for the Blind of the city of New York.

"To the International Sunshine Branch for the Blind, the sum of one dollar per day for the support, care and instruction of each needy child between the ages of one and eight years that shall be received, entrusted or committed to the said International Sunshine Branch for the Blind; and the number of such children so received, entrusted or committed to the said International Sunshine Branch for the Blind shall be ascertained by the examination and testimony under oath of the president or secretary of the said International Sunshine Branch for the Blind; such payments not to exceed in the aggregate fifteen thousand dollars per annum."

This act shall take effect on the first day of September, nineteen hundred and eight.

NEW YORK.

Chapter 415, Laws 1913, as amended by chapter 363 of the Laws of 1915.

An Act to establish a state commission for improving the condition of the blind of the state of New York, and making an appropriation therefor.

The people of the state of New York, represented in Senate and Assembly, do enact as follows:

Sec. 1. There shall be established a state commission, to be known as the New York state commission for the blind, consisting of five persons to be appointed by the Governor within sixty days after the passage of this act. No person appointed to this commission shall serve thereon while serving as an official of any workshop or school wherein blind people may be placed.

2. The full term of office of the members of this commission shall be five years. But of the first commission appointed, one member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years and one for a term of one year. At the expiration of the term of any member of the commission, his successor shall be appointed for a term of five years.

3. It shall be the duty of this commission to cause to be maintained a complete register of the blind in the state of New York, which shall describe the condition, cause of blindness, capacity for education and industrial training of each, with such other facts as may seem to the commission to be of value.

4. The commission shall maintain or cause to be maintained one or more bureaus of information and industrial aid, the object of which shall be to aid the blind in finding employment and to teach them trades and occupations which may be followed in their homes, and to assist them in whatever manner may seem advisable to the commission in disposing of the products of their home industry.

5. The commission may establish one or more schools for industrial training and workshops for the employment of suitable blind persons,

and shall be empowered to equip and maintain the same, to pay to employees suitable wages, and to devise means for the sale and distribution of the products thereof. The commission may also pay, during their training for the tuition, temporary lodging and support of pupils or workmen received at any industrial school or workshop established by it or other establishments in which the blind are now or may be hereafter received and instructed, when in its judgment the efficiency of such blind persons will thereby be promoted. The commission may also whenever it thinks proper aid individual blind persons to become self-supporting by furnishing materials or machinery to them; but this shall not be deemed to authorize the making of gifts by the commission.

6. The commission may ameliorate the condition of the blind by promoting visits among them and teaching them in their homes, as the commission may deem advisable.

7. It shall be the duty of this commission to continue to make inquiries concerning the cause of blindness, to learn what proportion of these cases are preventable, and to inaugurate and co-operate in any such preventive measures for the state of New York as may seem wise. The commission may arrange for the examination of the eyes of individual blind or partially blind persons and may obtain and pay for medical and surgical treatment of such persons whenever in the judgment of the commission the eyes of such persons may be benefited thereby.

8. The commission may appoint such officers and agents as may be necessary and fix their compensation within the limits of the annual appropriation, in all cases giving preference to blind persons of equal efficiency, but no person employed by the commission shall be a member thereof. It shall make its own by-laws and shall, annually, on or before the first day of January, make a report to the Governor and the legislature of its proceedings up to and including the thirtieth day of September preceding, embodying therein a properly classified and tabulated statement of its receipts and expenditures. The commission shall make a classified and tabulated statement of its estimate for the year ensuing to the Governor on or before the first day of January in each year. The annual report shall also present a concise review of the work of the commission for the preceding year, with such suggestions and recommendations for improving the condition of the blind and preventing blindness as it may seem expedient.

9. There may be advanced to the chairman of said commission out of the treasury of the state annually, from the amount appropriated for the commission, such sum as may be necessary, not exceeding five thousand dollars at any one time, to be used as a working capital for the industries of the commission and for traveling and office expenses. Said sum when drawn from the treasury of the state shall be deposited in a national bank or trust company to the credit of the chairman of the commission as such, who shall give a bond in such sum and with such securities as the comptroller may approve.

10. The commission shall keep separate books of account for its industries, and may use all moneys received from the sale of any products made at its workshops, or from the sale of products made under its supervision to which it has title, for the purpose of carrying

on said industries. The comptroller, or some person authorized by him, shall at least once in each year, and oftener if he deems it advisable, examine the books, accounts and vouchers of the commission.

11. The members of the commission shall receive no compensation for their services, but their traveling and other necessary expenses incurred in the performance of their official duties shall be audited by the comptroller and paid by the treasurer of the state, out of the moneys that may be appropriated therefor.

12. The sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for carrying out the objects and purposes of this act, to be paid by the state treasurer upon the warrant of the comptroller to the order of such commission.

13. This act shall take effect immediately.

NEW YORK.

1915.

ACT OF INCORPORATION.

An Act to incorporate the New York Institution for the Blind.

Passed April 21, 1831. Chapter 214, p. 256.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All such persons as are now, or hereafter may become members of said institution, shall be, and are hereby constituted and appointed a body corporate and politic, in fact and in name, by the style of "The New York Institution for the Blind," for the purpose of instructing children who have been born blind, or who may have become blind by disease or accident. and by that name they and their successors shall and may have succession, and shall be in law capable of suing and being sued, pleading and being impleaded, defending and being defended, in all courts and places whatsoever, in all manner of actions, suits, matters, complaints and causes whatsoever; and that they and their successors may have and use a common seal, and may change and alter the same at their pleasure, and also they and their successors, by the name and style of "The New York Institution for the Blind," shall be capable in law of purchasing, holding and conveying any real and personal estate, for the purposes of thir incorporation and none other, which at any time shall not exceed the annual income of ten thousand dollars.

Sec. 2. For the better carrying into effect the objects of the said corporation, there shall be annually elected twenty persons, who shall constitute a board of managers, and have power to conduct and manage all its concerns, the managers to be elected by ballot at an annual meeting of the members of the society, to hold their offices for one year, or until others be elected in their place, the said election to be held at such times and places as the said corporation shall, by their by-laws, from time to time, appoint and direct; the aforesaid managers shall be elected by a majority of the members present at such election, and in case of any vacancy or vacancies in the said board of managers by

death, resignation or otherwise, then the said board shall have power to fill such vacancy or vacancies until the next annual election.

Sec. 3. The board of managers shall, as soon after the annual election as may be convenient, proceed to elect by ballot from among their own number, a president, a vice-president, a treasurer and two secretaries, who shall serve for one year, or until others be elected in their room; and the following persons shall be the first officers and managers, to-wit: Samuel Akerly, president; Herman Averill, vice-president; Curtis Bolton, treasurer; James Donaldson, corresponding secretary; Henry K. Bogert, recording secretary, and Henry Remsen, John R. Stuyvesant, Thompson Price, Morris Ketchum, Sylvanus Miller, William H. Crosby, Gideon Lee, Hiram Ketchum, Samuel Wood, Thomas W. Jenkins, Henry Thomas, Rufus L. Nevins, Joseph D. Beers, Samuel F. Mott, Matthew C. Patterson, shall be the first managers.

Sec. 4. The board of managers so elected as aforesaid, shall have full power to make such by-laws as may, from time to time, be necessary, relative to the management, disposition of the estate and concerns of the said corporation, and regulation of the persons exercising the offices aforesaid, not contrary to law, and may appoint such other agents and servants as may be deemed necessary to transact the business of the said corporation, and designate their duties.

Sec. 5. This act shall continue and be in force until the first day of May, in the year of our Lord one thousand eight hundred and fifty-two; but if the said corporation shall apply any of their funds to any other purposes than those contemplated by this act, then the said corporation shall cease and determine, and the estate real and personal shall be forfeited to, and vested in, the people of this state.

Sec. 6. This act shall be subject to the general provisions and liabilities, contained in the third title of the eighteenth chapter of the first part of the Revised Statutes, and the legislature may at any time hereafter, alter, modify, amend or repeal the same.

An Act to continue in force "An act to incorporate The New York Institution for the Blind"; passed April 21, 1831; passed April 16, 1852.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The act entitled "An act to incorporate The New York Institution for the Blind," passed April 21, 1831, shall be continued in force from and after the first day of May, one thousand eight hundred and fifty-two.

UNIVERSITY OF THE STATE OF NEW YORK.

Amendment to Charter of

THE NEW YORK INSTITUTION FOR THE BLIND.

This Instrument Witnesseth, That the Regents of the University of the State of New York have amended the charter of The New York Institution for the Blind, incorporated by Chapter 214 of the Laws of 1831, by changing its corporate name to that of

THE NEW YORK INSTITUTE FOR THE EDUCATION OF THE
BLIND.

Granted August 29, 1912, by the Regents of the University
of the State of New York, executed under their seal and
(SEAL.) recorded in their office.

Number 2284.

(Signed) A. S. DRAPER,
Commissioner of Education.

(Signed)
ST. CLAIR McKELWAY,
Vice-Chancellor.

NEW YORK STATE.

Chapter 60.

An Act to amend the education law, relative to the kindergarten
training and instruction of blind babies and children.

Became a law March 22, 1912, with the approval of the Governor.

Passed, three-fifths being present.

To the People of the State of New York, represented in Senate and
Assembly, do enact as follows:

Section 1. Section nine hundred and seventy-two of chapter twenty-
one of the laws of nineteen hundred and nine, entitled "An act relating
to education, constituting chapter sixteen of the consolidated laws,"
as amended by chapter one hundred and forty of the laws of nineteen
hundred and ten, is hereby amended to read as follows:

§972. Persons eligible as pupils to institutions for instruction of the
blind. All blind persons of suitable age and possessing the other
qualifications prescribed for deaf and dumb state pupils under section
nine hundred and twenty-one shall be eligible to appointment to the
institutions for the blind in the City of New York, or in the village
of Batavia, as follows:

1. All such as are residents of the counties of New York, Kings,
Queens, Nassau, Richmond, Westchester, Putnam and Rockland, shall
be sent to the institution for the blind in the city of New York.

2. All such who reside in other counties of the state shall be sent
to the institution for the blind in the village of Batavia. Blind
babies and children, not residing in the city of New York, of the age
of twelve years and under and possessing the other qualifications
prescribed in the preceding section of this chapter and requiring
kindergarten training and instruction shall be eligible to appoint-
ment as state pupils in one of the homes for blind babies and children
maintained by the International Sunshine Society, Brooklyn Home for
the Blind, Crippled and Defective Children, and the Catholic Institute
for the Blind, and any such child may be transferred to the institution
for the blind in the city of New York or the village of Batavia, to
which he or she would otherwise be eligible to appointment, upon
arriving at suitable age, in the discretion of the commissioner of edu-
cation. All such appointments, with the exception of those to the
institution for the blind in the village of Batavia, shall be made by
the commissioner of education upon application, and in those cases
in which, in his opinion, the parents or guardians of the applicants
are able to bear a portion of the expense, he may impose conditions

whereby some proportionate share of expense of educating and clothing such pupils shall be paid by their parents, guardians or friends, in such manner and at such times as the commissioner may designate, which conditions he may modify from time to time, if he shall deem it expedient to do so.

§2. Subdivision two of section nine hundred and seventy-three of said chapter, as amended by chapter one hundred and forty of the laws of nineteen hundred and ten, is hereby amended so as to read as follows:

2. The regular term of instruction for such pupils, upwards of twelve years of age, shall be five years; but the commissioner of education may, in his discretion, extend the term of any pupil for a period not exceeding three years. The term of kindergarten training and instruction for babies and children of the age of twelve years and under received into any such institution under the provisions of section nine hundred and seventy-two of this chapter, shall be at the discretion of the commissioner of education and shall be paid for at the rate of one dollar per day. The pupils provided for in this section and sections nine hundred and seventy-one and nine hundred and seventy-two of this article shall be designated state pupils; and all the existing provisions of law applicable to state pupils now in said institutions shall apply to pupils herein provided for.

§3. This act shall take effect immediately.

NEW YORK.

ARTICLE 38.

INSTRUCTION OF DEAF MUTES AND THE BLIND.

970. *Duties of Commissioner of Education.* All the institutions for the instruction of the deaf and dumb, and blind, and all other similar institutions, incorporated under the laws of the state, or that may be hereafter incorporated, shall be subject to the visitation of the commissioner of education, and it shall be his duty:

1. To inquire into the organization of the several schools and the method of instruction employed therein.

2. To prescribe courses of study and methods of instruction that will meet the requirements of the state for the education of state pupils.

3. To make appointments of pupils to the several schools, to transfer such pupils from one school to another as circumstances may require; to cancel appointments for sufficient reason.

4. To ascertain by a comparison with other similar institutions, whether any improvements in instruction and discipline can be made; and for that purpose to appoint from time to time, suitable persons to visit the schools.

5. To suggest to the directors of such institutions and to the legislature such improvements as he shall judge expedient.

6. To make an annual report to the legislature on all the matters before enumerated, and particularly as to the condition of the schools, the improvement of the pupils, and their treatment in respect to board and lodging.

971. *Persons eligible as pupils to institutions for instruction of the*

deaf and dumb. All deaf and dumb persons resident in this state and upwards of twelve years of age, who shall have been resident in this state for one year immediately preceding the application, or, if a minor, whose parent or parents, or, if an orphan, whose nearest friend shall have been a resident of this state for one year immediately preceding the application, shall be eligible to appointment as state pupils in one of the deaf and dumb institutions of this state, authorized by law to receive such pupils.

972. *Persons eligible as pupils to institutions for instruction of the blind.* All blind persons of suitable age and possessing the other qualifications prescribed for deaf and dumb state pupils under section nine hundred and twenty-one (misprint for 971) shall be eligible to appointment to the institutions for the blind in the city of New York, or in the village of Batavia, as follows:

1. All such as are residents of the counties of New York, Kings, Queens, Suffolk, Nassau, Richmond, Westchester, Putnam and Rockland, shall be sent to the institution for the blind in the city of New York.

2. All such who reside in other counties of the state shall be sent to the institution for the blind in the village of Batavia. Blind babies and children, not residing in the city of New York, of the age of twelve years and under and possessing the other qualifications prescribed in the preceding section of this chapter and requiring kindergarten training and instruction shall be eligible to appointment as state pupils in one of the homes for blind babies and children maintained by the International Sunshine Society, Brooklyn Home for the Blind, Crippled and Defective Children, and the Catholic Institute for the Blind, and any such child may be transferred to the institution for the blind in the city of New York or village of Batavia, to which he or she would otherwise be eligible to appointment, upon arriving at suitable age, in the discretion of the commissioner of education. All such appointments, with the exception of those to the institution for the blind in the village of Batavia, shall be made by the commissioner of education upon application, and in those cases in which, in his opinion, the parents or guardians of the applicants are able to bear a portion of the expense, he may impose conditions whereby some proportionate share of expense of education and clothing such pupils shall be paid by their parents, guardians or friends, in such manner and at such times as the commissioner shall designate, which conditions he may modify from time to time if he shall deem it expedient to do so.

973. *Support and term of instruction of state pupils.* 1. Each pupil so received into any of the state institutions aforesaid shall be provided with board, lodging and tuition; and the directors of the institution shall receive an annual appropriation for each pupil so provided for, in quarterly payments, to be paid by the treasurer of the state, on the warrant of the comptroller, to the treasurer of said institution, on his presenting a bill showing the actual time and number of such pupils attending the institution, which bill shall be signed by the president and secretary of the institution, and verified by their oaths.

2. The regular term of instruction for such pupils, upwards of twelve years of age, shall be five years; but the commissioner of education may, in his discretion, extend the term of any pupil for a period not exceeding three years. The term of kindergarten training and instruction for babies and children of the age of twelve years and under received into any such institution under the provisions of section nine hundred and seventy-two of this chapter, shall be at the discretion of the commissioner of education and shall be paid for at the rate of one dollar per day. The pupils provided for in this section and sections nine hundred and seventy-one and nine hundred and seventy-two of this article shall be designated state pupils; and all the existing provisions of law applicable to state pupils now in said institutions shall apply to pupils herein provided for.

974. *Regulations for admission.* The commissioner of education may make such regulations and give such directions to parents and guardians, in relation to the admission of pupils into either of the above-named institutions, as will prevent pupils entering the same at irregular periods.

975. *Clothing for state pupils.* * * * * *

976. *Aid for blind and deaf students.* 1. Whenever a blind or deaf person, who is a citizen of this state and a pupil in actual attendance at a college, university, technical or professional school located in this state and authorized by law to grant degrees, other than an institution established for the regular instruction of the blind or deaf, shall be designated by the trustees thereof as a fit person to receive the aid hereinafter provided for, there shall be paid by the state for the use of such pupil the sum of three hundred dollars per annum with which to employ persons to read to such blind pupil from textbooks and pamphlets used by such pupil in his studies at such college, university, or school, or to aid a deaf student in receiving instruction in such studies.

2. Such money shall be paid annually, after the beginning of the school year of such institution, by the treasurer of the state on the warrant of the comptroller, to the treasurer of such institution, on his presenting an account showing the actual number of blind or deaf pupils matriculated and attending the institution, which account shall be verified by the president of the institution and accompanied by his certificate that the trustees have recommended the pupils named in said account as hereinbefore provided.

3. The trustees of any of the said institutions shall recommend no blind or deaf person, who is not regularly matriculated, and who is not in good and regular standing, and who is not working for a degree from the institution in which he is matriculated; and no blind or deaf person shall be recommended who is not doing the work regularly prescribed by the institution for the degree for which he is a candidate. The moneys so paid to any such institution shall be disbursed for the purposes aforesaid by and under the direction of its board of trustees.

NEW YORK.

(Abstract taken from the last United States Census.)

School for the Blind.

1910.

The supervisors of any county from which state pupils are received in the New York institution for the blind, whose parents or guardians are unable to furnish them with suitable clothing, are authorized to appropriate \$30 yearly for each such pupil and to pay the sum to the institution to be applied by it to furnishing the pupil suitable clothing. The supervisors of any county other than New York, Kings, Queens, Nassau and Suffolk from whose pauper institutions pupils are sent to the institution for the blind must pay toward the expense of educating and clothing such pupils a sum equal to that which the county would have to pay to support the pupils as paupers at home. The supervisors or officers corresponding to them of the counties of New York, Kings, Queens, Nassau and Suffolk are directed to pay \$50 instead of the \$30 previously mentioned.

Compulsory Education.

1911.

The law relating to the compulsory education of children applies to blind children, except those that receive appointments to special schools for the blind.

Relief of the Needy Blind.

The commissioner of public charities of New York City is authorized to insert in his annual estimate of expenditure for the relief of the poor adult blind not to exceed \$150,000. The commissioner must distribute the sum so appropriated each year in uniform sums not to exceed \$100 to each person, to such adult blind persons not inmates of any of the public or private institutions in New York City who are in need of relief and who are citizens of the United States, and have date of application for relief. (Laws 1913.)

In any city of the first class having a population of over 1,000,000 inhabitants, the mayor may issue a license to any adult blind person for the vending of goods or newspapers, or the playing of musical instruments, on such public thoroughfares and in such places as the license may designate and upon conditions prescribed by it. Such a license is issued for one year without charge, and only to a person who is a citizen of the United States and has resided for three years consecutively in the city. (Laws 1909.)

NORTH CAROLINA.

1917.

STATE SCHOOL FOR THE BLIND AND DEAF.

The institution for the education of the deaf, dumb and the blind located in the city of Raleigh, on Caswell square, and on a lot located in the eastern part of the city, belonging to the state, and on which the institution for the colored children is located, shall be a corporation under the name and style of The State School for the Blind and the Deaf, and shall be under the management of a board of directors and superintendents.

The governor shall, by and with the consent of the senate, appoint eleven directors for said institution. The directors shall be divided into three classes. The first two classes shall consist of four each and the other class shall consist of three. The first class shall be appointed in one thousand nine hundred and five and every six years thereafter; the second class in one thousand nine hundred and seven, and every six years thereafter; the third class in one thousand nine hundred and nine, and every six years thereafter. They shall hold their offices until their successors are elected and qualified, and the term of office shall begin the first day of March of the respective years. The governor shall fill all vacancies occurring by reason of death, resignation or otherwise. In case of vacancies occurring when the senate is not in session the appointees to fill such vacancies shall hold office until confirmed or rejected by the senate.

The board of directors shall organize by electing one of its number president and three an executive committee. The terms of office in each case shall be for two years. The board shall elect a superintendent, whose term of office shall be for three years; also a steward and physician whose term of office shall be for two years, and such other officers, agents and teachers as shall be deemed necessary. The compensation for officers and agents and teachers, mentioned in this section, shall be fixed by the board, and shall not be increased nor reduced during their term of service. The board shall have power to erect any buildings necessary, make improvements, or in general do all matters and things which may be beneficial to the good government of the institution, and to this end may make by-laws for the government of the same.

The board shall meet at stated times and also at such other times as it may deem necessary. The members of the board shall serve without reward, save their traveling expenses incurred in the discharge of their official duties.

The board of directors shall, on application, receive in the institution for the purpose of education, in the main department, all white blind children, and in the department for the colored all colored deaf mutes and blind children, residents of this state, not of confirmed immoral character, nor imbecile, or unsound in mind or incapacitated by physical infirmity for useful instruction, who are between the ages of seven and twenty-one years: Provided, that application shall be made and applicants received at stated times, which shall be at the commencement of some scholastic year.

The directors of the institutions for the blind, in the city of Raleigh, shall set apart two rooms in said institution, one for males and one for females, for the use of the curable blind who, by reason of poverty, are unable to pay for treatment. It shall be the duty of the directors of the institutions for the blind in Raleigh to admit into such institutions, from time to time, such of the blind of the state as they may deem to be curable.

The board may, upon the recommendation of the superintendent and faculty, confer such degrees or marks of literary distinction as may be thought best to encourage merit.

The board of directors shall, on the second Monday in May, one

thousand nine hundred and five, and every three years thereafter, elect an officer to be styled superintendent. They may elect all officers and teachers at the same time: Provided, that the terms of office of the superintendent and steward shall begin June first, and the terms of all other officers and teachers shall begin September first, and for the terms named in this chapter. The superintendent shall be a man of good moral character, and shall have experience as a teacher in the deaf, dumb and blind school of North Carolina, or some similar institution, for the term of two or more years. He shall have charge of the institution in all its departments, and shall do and perform such duties and exercise such supervision as is incumbent upon such officer.

The state treasurer shall be *ex officio* treasurer of the institution. He shall report to the board at such times as they may call on him, showing the amount received on account of the institution, amount paid out, and amount on hand. The board shall make a report to the governor on the first January next before the regular meeting of the general assembly, showing the condition of the institution in its various departments, and shall give any information the governor shall desire from time to time.

The board shall have power to remove any officer, employee or teacher for gross immorality, wilful neglect of duty, or any good and sufficient cause; but in any such case notice in writing of the charges shall be served on the accused, proved and entered on record. The board shall fill all vacancies which may occur from any cause.

The superintendent, subject to the control of the board, shall have power to employ all employees and fix their compensation, and to discharge them at pleasure.

Where it shall appear to the satisfaction of the governor, upon the affidavit of two respectable citizens, that the parents of any deaf mute or blind child are unable to provide said child with clothing and for expenses to and from the institution, or where the child has no living parents or estate of its own, then the governor shall draw upon the auditor for an amount sufficient to clothe him and pay said expenses, and the auditor, upon the state treasurer, who shall pay the same: Provided, the auditor shall charge said amount to the county from which said child came and add it to the tax list of the sheriff of said county and collect the same as other amounts due the state: Provided further, the amount charged shall in no case exceed thirty dollars per year for any pupil.

AN ACT TO COMPEL BLIND CHILDREN TO ATTEND SCHOOL.

The General Assembly of North Carolina do enact:

Section 1. That every blind child of sound mind and body living in the State of North Carolina shall attend the State School for the Blind and Deaf, at Raleigh, or some similar school for the education of the blind, for a term of nine months each year, between the ages of seven and seventeen years. The term "blind child" is to be construed as meaning any child whose sight is so defective as to make it impracticable to obtain an education in school for the seeing.

Sec. 2. That parents, guardians or custodians of any blind child

or children between the ages of seven and seventeen years shall send or cause to be sent such child or children to some school for the instruction of the blind at least eight sessions of nine months each.

Sec. 3. That parents, guardians or custodians of any blind child or children between the ages of seven and seventeen years, failing to send such child or children to some school for the instruction of the blind, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, at the discretion of the court, for each year that said child or children shall be kept out of school between the ages specified: Provided, that this section shall not be enforced against the parents, guardians or custodians of any blind child until such time as the authorities of some school for the instruction of the blind shall serve written notice on such parents, guardians or custodians, directing that such child be sent to the school whereof they have charge: Provided further, that the authorities of the said State School for the Blind and Deaf shall not be compelled to retain in their custody or under instruction any incorrigible person, or person of confirmed immoral habits.

Sec. 4. That it shall be the duty of the school census taker to report name, age and sex of each blind child in his district, and names of parents, guardians or custodians and their postoffice addresses, to the county superintendent of education, who shall send report of names and addresses to the superintendent of the State School for the Blind and Deaf at Raleigh, N. C. That said census taker or county superintendent failing to make report as provided in this act shall be fined five dollars (\$5) for each blind child not so reported.

Sec. 5. That said fine as provided in section three (3) of this act, and said fine of five dollars (\$5) provided in section four (4) of this act, when collected, shall be paid to the public school fund of the county in which such child lives.

Sec. 6. The sheriffs of the various counties of the state of North Carolina shall be required to enforce the provisions of this act in all cases of blind children not attending other institutions for the blind reported to them by the superintendent of the said State School for the Blind and the Deaf; that said sheriffs shall have authority to reimburse themselves for such services and expenses as are entailed upon them in executing the provisions of this act. And further, in order to aid the superintendent of the said school for the blind and the deaf in securing the attendance of blind children upon the said school, that the various railroads operating in the state of North Carolina may grant him transportation without charge.

Sec. 7. That this act shall take effect and be in force from and after the first day of September, one thousand nine hundred and eight.

In the General Assembly read three times and ratified this the 1st day of February, A. D. 1908.

1003.

1. H. B. 1779. S. B. 1585.

An act supplemental to an act authorizing the issue of bonds of the state for permanent enlargement and improvements of the state's educational and charitable institutions.

Whereas, in the bill authorizing the issuing of three million dollars

of bonds for the enlargement and improvement of the state's educational and charitable institutions of the state, no provision is made for the construction and equipment of buildings on the eighty acre tract of land purchased by the state for the blind institution, and no appropriation made for the permanent improvement of said institution;

Now therefore, for the purpose of making provision for the construction and equipment of said buildings the permanent improvements for said institution;

The General Assembly of North Carolina do enact:

Section 1. That there be and is hereby appropriated out of the general funds of the treasury of the state of North Carolina, not otherwise appropriated, the sum of one hundred and fifty thousand dollars (\$150,000,000) to be applied in the construction and equipment of buildings on the eighty acre tract of land purchased by the state for the Institution of the Blind at Raleigh.

Sec. 2. That the construction and equipment of said buildings shall be under the authority and supervision of the state building commission, referred to in section seven of said bill.

Sec. 3. That the appropriation herein made shall not interfere with other appropriations made by this General Assembly: Provided, that if the income of the state be insufficient to meet all appropriations the treasurer of the state is hereby authorized and directed to borrow sufficient funds to meet the appropriations provided for in section one of this act.

Sec. 4. This act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 6th day of March, 1917.

O. MAX GARDNER,
President of the Senate.

WALTER MURPHY.

Speaker of the House of Representatives.

Examined and found correct.

PHILLIPS,

For Committee.

NORTH CAROLINA.

1908.

(Abstract taken from the last United States Census.)

Investigation of Blindness.

The board of public charities, consisting of five electors elected by the general assembly and holding office for two years, are charged with the duty of investigating the causes of "defect or loss of the several senses," and thus being able to give data to the general assembly to guide them in legislation and "to contribute to enlighten public opinion." The members of the board receive no compensation other than their expenses.

The board of commissioners of each county must annually report to the board of public charities the number of blind of their county not in a hospital or school and such other information as may be desirable to get a complete view of the number and condition of this class of persons in the state. The board of charities must prepare and

furnish to the commissioners of each county carefully arranged circulars indicating the information desired. The board of commissioners in aid of this purpose may require the justices of the peace of each township to prepare and furnish them with the information called for.

NORTH DAKOTA.

Passed Bill No. 67 of the Session Laws of 1913.

For an act to provide for the care, maintenance and instructions of blind babies and children under school age.

Be it enacted by the Legislative Assembly of the State of North Dakota:

Section 1. The board of control of state institutions shall have power to provide in the North Dakota Blind Asylum or any other institution that can give proper care and education for the suitable care, maintenance and instruction of babies and children under school age, residing in this state, who may be born blind, or become blind.

2. For the purpose of providing such care and maintenance and education the said board of control shall have power to furnish all necessary attendants and facilities for the suitable care, maintenance and education of such blind babies and children under school age in the North Dakota Blind Asylum or any other properly equipped institutions and to provide for the transportation of such blind babies and children under school age from their place of residence to such institutions.

3. (Emergency.) Whereas, an emergency exists in that there is now no law in this state for the admission of blind babies or children under school age into the North Dakota Blind Asylum or any other institution, therefore this act shall be in full force and effect from and after its passage and approval at the rate of one dollar a day for care, nursing and education.

NORTH DAKOTA.

1913.

(Abstract taken from the last United States Census.)

School for the Blind.

The general management and control of the North Dakota Blind Asylum is vested in the board of control of state institutions. The board makes all rules and regulations governing the school and provides employment and instruction for its inmates.

Compulsory Education.

Every parent, guardian or other person having charge or control of any blind person between the ages of 7 and 21 years must send him to the state school for the blind for the entire school year, unless excused by the superintendent of the school. The board of education of the city or village or school board of the district may excuse the person having control of such blind person from this duty, when he can satisfactorily show that the person is being taught in another institution approved by the county school superintendent, or that such person is actually necessary to the support of the family, or that he has already acquired the branches of learning taught in the public schools, or that he is physically or mentally incapable of attending school. Failure to comply with these provisions constitutes a misdemeanor.

In connection with the school census an enumeration is made of the names, ages and addresses of all blind persons between the ages of 5 and 25 years, a copy of which is sent to the superintendent of the school for the blind.

OHIO.

1908.

An Act to establish a commission for improving the condition of the blind.

Be it enacted by the General Assembly of the State of Ohio:

Section 1. There shall be a state board to be known as the Ohio Commission for the Blind, consisting of six persons, five of whom shall be appointed by the Governor within sixty days after the passage of this bill, and the sixth member shall be the superintendent of the State School for the Blind at Columbus.

Sec. 2. The term of office of the commissioners shall be five years, except that, of the first commission appointed, one member shall be appointed for one year, one member for two years, one member for three years, one member for four years, and one member for five years. At the conclusion of the term of each, his successor shall be appointed for a full term of five years.

Sec. 3. The commission shall, within thirty days of its appointment, hold its first meeting, elect one of its members as president, who shall preside at its meetings, and who shall have power to call meetings when it shall be deemed advisable.

Sec. 4. It shall be the duty of the commission to prepare and maintain a complete register of the blind in the State of Ohio, which shall describe the condition, cause of blindness, capacity for educational and industrial training of each, together with such other facts as may seem to the commission to be of value.

Sec. 5. The commission shall act as a bureau of information and industrial aid, the object of which shall be to aid the blind in finding employment, and to teach them industries which may be followed in their homes.

Sec. 6. The commission may establish schools for industrial training and workshops for the employment of suitable blind persons, and shall be empowered to equip and maintain the same, to pay the employes suitable wages and to devise means for the sale and distribution of the products thereof. The board may also provide or pay for, during their training, temporary lodging and support for pupils or workmen received at any industrial schools and workshops established by it.

Sec. 7. As soon as the said schools and workshops are established and in successful operation, the industrial department for adult blind of the State Institution for the Blind at Columbus, as provided in Section 667 of the Revised Statutes of Ohio, shall be discontinued.

Sec. 8. The commission may ameliorate the condition of the aged or helpless blind by promoting visits to them in their homes for the purpose of instruction, and by such other lawful methods as may seem to the commission to be expedient.

Sec. 9. The commission may appoint such officers and agents as may be necessary and fix their compensation within the limits of the annual appropriation; but no person so appointed shall be a member. The

commission shall make its own by-laws, and shall prepare an annual report to the Governor and the Legislature of its proceedings for each fiscal year, embodying therein a properly classified and tabulated statement of its estimates for the ensuing year, with its own opinion as to the necessity or expediency of appropriations in accordance with said estimate. The annual report shall also present a concise review of the work of the commission for the preceding year, with such suggestions and recommendations for improving the condition of the blind as may be expedient. The supervisor of public printing shall print two thousand (2,000) copies of this annual report for the use of the commission.

Sec. 10. It shall be the duty of the commission, in making inquiries concerning the cause of blindness, to learn what proportion of these cases are preventable, and to co-operate with the state board of health in adopting and enforcing proper preventive measures.

Sec. 11. The members of the commission shall receive no compensation for their services, but their traveling and other necessary expenses, when approved by the president of the commission, incurred in the performance of their official duties, shall be paid by the treasurer upon an order from the auditor of state.

Sec. 12. Authority is hereby given the commission to use, in the furtherance of the purpose of this act, any receipts or earnings that may accrue from the operation of industrial schools and workshops, as provided in section six of this bill, provided that a detailed statement of receipts or earnings and expenditures be made monthly to the auditor of state.

Approved May 9, 1908.

OHIO.

1913.

Law providing for state maintenance of day schools for the blind.

An act to amend sections 7755, 7756, 7757, 7758, 7759, 7760, 7761 for the establishment of public schools for the deaf, blind and crippled.

Be it enacted by the General Assembly of the State of Ohio:

Section 1. That sections 7755, 7756, 7757, 7758, 7759, 7760 and 7761 of the General Code be amended to read as follows:

Sec. 7755. Upon application by a board of education of any school district in Ohio to the superintendent of public instruction he shall grant permission to such board and it may thereupon establish and maintain within its limits one or more day schools at an average attendance of not less than three pupils for the instruction of deaf persons, residents of this state, over the age of three, for the instruction of blind persons, residents of this state, over the age of four, and of crippled persons, residents of this state, over the age of five.

Sec. 7756. A board of education, which maintains one or more day schools for the instruction of the deaf, blind or crippled persons shall report to the superintendent of public instruction annually, and as often as such commissioner directs such facts concerning such school or schools as he requires.

Sec. 7757. At the close of each school year each board of education of the school district in which such schools for the education of the deaf, crippled or blind shall be established and maintained, shall certify

to the auditor of state the number of pupils given instruction in said schools during the preceding school year and thereupon the auditor of state shall draw his warrant upon the treasurer of state in favor of such board of education, payable out of the general fund in an amount equal to \$150.00 for each deaf or crippled pupil given instruction in such schools within said district for nine months during said school year, and a proportionate amount for each deaf or crippled pupil given instruction therein for a part of said school year less than nine months, and the sum of \$200 for each blind pupil given instruction in such schools within such district for nine months during said school year, and a proportionate amount for each blind pupil given instruction therein for a part of said school year less than nine months.

Sec. 7758. The sums provided in the next preceding section shall be paid by such state treasurer upon the presentation of such warrant or order upon satisfactory proof made to him by the president or clerk of the board of education maintaining such school, of the number of pupils instructed therein, their residence, and the period of time such pupils were so instructed in such schools the preceding school year.

Sec. 7759. Teachers in such schools shall be appointed and employed as are other public school teachers. They shall possess the usual qualifications required of teachers in the public schools, and in addition thereto such special training and equipment as the board of education may require. The so-called oral system shall be taught by such teachers in schools for the deaf. If, after a fair trial of nine months, any of such children in any school for the deaf for any reason is unable to learn such method, then they may be taught the manual method in a separate school, provided, however, that there are not fewer pupils than provided in Sec. 7755 of the General Code.

Sec. 7760. For the purpose hereof, any person of sound mind who, by reason of defective hearing, or defective vision, or so crippled as to be physically unable to care for himself without assistance, cannot profitably be educated in the public schools as other children, shall be considered as deaf, blind or crippled, and after the establishment of any such school by any school district, may be compelled to attend such school or a state institution.

Sec. 7761. The state school commissioner shall select some competent person to inspect all such day schools established by virtue of this act, and cause inspection to be made at least twice a year concerning the methods of instruction, the condition of the buildings in which the same are held, the conditions under which said schools are maintained, and such other matters as may be of interest in the education of such children in such schools; and such persons so appointed shall make a full report thereof in writing to the state commissioner of schools at the close of each school year.

Sec. 2. That said original sections 7755, 7756, 7757, 7758, 7759, 7760 and 7761 of the General Code be, and the same are hereby repealed.

Approved May 2, 1913.

OHIO.

1913.

Pension Law.

An act to create an institution for the relief of the needy blind.

Be it enacted by the General Assembly of the State of Ohio:

Section 1. That there shall be established and maintained in the city of Columbus, Ohio, a state institution, to mean under this act a board of relief and benefit of the needy blind.

Sec. 2. That said institution shall consist of a board of three members appointed by the Governor, one for four years, one for three years, one for two years, and all appointments thereafter shall be for a term of four years, and all vacancies shall be filled by the Governor for any unexpired term; the said board shall have the control and management of its finances and shall have the power to enact all necessary rules and regulations.

Sec. 3. The said board shall meet at the call of the governor or its president or at such time as may be agreed upon by its members, and shall be authorized to employ a secretary at a salary not to exceed twelve hundred dollars per annum.

Sec. 4. Said board shall provide suitable rooms, furniture and supplies for its use and may hold its sessions outside of the said city, at any place within the state. The members of the board shall serve without compensation but they shall receive the necessary expenses of travel.

Sec. 5. Any person who becomes blind residing in this state and who has continuously resided in this state for five years prior to his application for the relief herein provided, who, by reason of loss of eyesight, is unable to provide himself or herself with the necessities of life and has not sufficient means of his or her own so to do, shall be deemed entitled to the benefits and support of the said institution as herein provided.

Sec. 6. In order to obtain relief from the said institution for the blind, the persons claiming relief shall file written application with the probate judge of the county in which he or she resides, duly verified and supported by the sworn statements at at least two reputable residents of the county where the applicant resides, one of whom shall be a registered physician, and neither of whom shall be related to the applicant, setting out the facts entitling the person to the relief as claimed.

Sec. 7. The probate judge of the county in which said application is filed shall promptly hear and determine the said evidence or such other and further evidence as he may require, and shall thereupon determine the amount of the relief that the applicant is entitled to under said proof, not exceeding the sum of two hundred and forty dollars per annum, payable quarterly, and shall immediately, upon his finding transmit a copy of the said application and evidence and finding to the said board, and his findings upon said facts shall be final and conclusive unless reviewed, set aside or modified by the board at their discretion.

Sec. 8. In addition to the taxes levied by law for its purposes, the said board may certify to the said auditor of state, to be levied and

collected as other taxes, a state tax not to exceed one-sixth of one mill on the dollar, to be levied and collected upon the taxable property of the state for the purpose of creating a fund for the blind as herein provided. Provided, however, that such levy shall be subject to the limitations provided by law upon the maximum and combined maximum rates of taxation. After the passage of this act and on the demand of the state treasurer the treasurers of the respective counties shall transfer and pay over to the state treasurer all monies in their possession or that may thereafter come into their possession under present levies for the relief of the blind.

Sec. 9. Out of the funds so received the said board shall quarterly issue to the claimant the sum allowed for the previous quarter and the warrant for the said sum shall be signed by the president and secretary of said board and be approved by the auditor of state.

Sec. 10. That sections 2962, 2963, 2964, 2965, 2966, 2967, 2967-1, 2968, 2969 and 2970 of the General Code be, and the same are hereby repealed.

Approved May 9, 1913.

Law to Provide Readers for College Students.

An act to supplement section 1885 of the General Code, providing for additional educational opportunities for the blind.

Be it enacted by the General Assembly of the State of Ohio:

Section 1. That section 1885 of the General Code be supplemented by the addition of section 1885-1, as follows:

Sec. 1885-1. Subject to the approval of the Ohio Board of Administration, the superintendent may provide for the further and higher education of any pupils who in his judgment are capable of receiving sufficient benefit thereby to render them more efficient as citizens by appointing readers for such persons to read from text-books and pamphlets used in their studies while in attendance as regularly matriculated students in any college, university, technical or professional school located in this state and authorized by law to grant degrees.

Approved May 5, 1913.

OHIO.

(Abstract taken from the last United States Census.)

School for the Blind.

1911.

The state school for the blind, as well as all other penal, correctional and benevolent institutions of the state, is governed by the Ohio board of administration, which is composed of four persons appointed by the Governor with the consent of the senate, not more than two of whom may belong to the same political party. The members serve for four years, and each receives a salary of \$5,000 a year, as well as expenses. Blind and purblind residents of the state over 8 years of age, or in exceptional cases over 6 years of age, judged to be of suitable mental capacity to receive the instruction provided, may be admitted to the school. Pupils admitted under 14 years of age may remain until the age of 21; if over 14 and under 21 years of age, they may remain seven years. Subject to the approval of the board of administration the superintendent may permit former students to return to

the institution for a period not exceeding one year to review or perfect their studies, but not at an age beyond the oldest period provided above. Nonresidents may be admitted as pupils, if there is accommodation for them, upon payment of the sums determined by the board of administration. The board may expend not more than \$600 a year for the purchase of books, maps and other educational appliances from the American Printing House for the Blind for the use of the institution and gratuitous distribution among the indigent blind of the state, if the purchase can be made at a price not exceeding the cost of their production.¹

Deaf and blind persons are admitted to the state school for the deaf, or the board of administration may provide for the education of a deaf and blind child at its home.

Census of the Blind.

1910.

In connection with the school census there is an annual enumeration of blind children between the ages of 6 and 21 years. Quadrennially, at the time of taking a list of property for taxation, an enumeration is made by each assessor of all blind persons in his township or precinct and the returns are filed with the county auditor.

Compulsory Education.

1910.

Education is compulsory for persons entitled to enter either the state school for the blind or the state school for the deaf, and the truancy laws in general apply to them.

¹The General Code of 1810 contains the following provisions although Senate Bill No. 507, section 7, of the laws of 1908 provided that they should be repealed and the industrial department of the school discontinued as soon as the schools and workshops to be established for the blind by the commission were in successful operation:

Persons over 21 years of age are received for one year for the purpose of learning a trade taught in the mechanical department. They may also receive instruction in one or more studies if this can be done without interfering with the purpose for which they were admitted. In addition to the one year specified females over 21 years of age are allowed to remain three years more if their capacity renders it advisable.

Chapter 37.

SESSION LAWS OF OKLAHOMA OF 1913.

STATE SCHOOL FOR THE BLIND—LOCATION—APPROPRIATION.

Senate Bill No. 62.

An act to permanently locate the school for the blind at Muskogee, Okla., to be known as the "Oklahoma School for the Blind," providing for the securing of a site; the construction of suitable buildings, and the making an appropriation therefor.

Be it enacted by the people of the State of Oklahoma:

School located at Muskogee.

Section 1. There is hereby created and established a school for the blind at, or near, the city of Muskogee, Oklahoma, to be known as the Oklahoma School for the Blind.

Purpose of School.

Sec. 2. The purpose of such school shall be to provide academic, musical and industrial education suitable for persons deprived of sight.

Control of School.

Sec. 3. The said Oklahoma School for the Blind shall be under the direction and control of the state board of education.

Eligible Pupils.

Sec. 4. All persons, residing in the state of Oklahoma, between the ages of six and twenty-one years, whose vision is so defective as to prevent them attending the public schools, and who are of such physical, mental and moral character as to enable them to pursue any one or all of the courses of study taught in this school, are eligible; provided, persons may be continued in said school after passing the age of twenty-one, or persons under six and over twenty-one may be admitted as pupils in said school at the discretion of the superintendent and faculty.

Site designated—donation of site, light and water.

Sec. 5. The said board of education is hereby authorized to locate said school upon a tract of land described as follows: All that part of the southwest quarter of the southeast quarter of section nineteen, township fifteen north, range nineteen east, which lies east of Haskell Boulevard, containing twenty-five acres, more or less, in Muskogee County, Okla.; said above described tract of land to be deeded to the state of Oklahoma by a good and sufficient deed with abstract, showing the same to be free and clear from all encumbrance, and without expense to the state. Also, electric lights and water to be forever free to the state.

Appropriation.

Sec. 6. There is hereby appropriated out of the general revenue of the state, not otherwise appropriated, the sum of seventy-five thousand dollars (\$75,000) for the erection and construction of suitable buildings, and ten thousand dollars (\$10,000) for a heating plant, and laundry, to be expended and used under the direction of the said board of education.

Approved March 13, 1913.

OKLAHOMA.

1910.

(Abstract taken from the last United States Census.)

School for the Colored Blind.

The school for the colored blind is also under the direction and control of the state board of education. The purpose of the school is to care for, teach and train the colored blind in the rudiments of English, as in graded schools, and the practical and primary industries, such as may fit them for useful citizenship and make them self-helpful and self-reliant.

OREGON STATE BOARD OF CONTROL.

Laws of 1913, Chapter 78.

Section 1. For the purpose of governing the several institutions hereinafter enumerated, there is hereby created a board, the official

name and style of which shall be the "Oregon State Board of Control." Said board shall consist of the Governor, who shall be ex-officio chairman, the secretary of state and the state treasurer; said board shall be known in law by its official name and style; shall have an official seal which shall bear the name of said board; may sue and plead in all courts of law and equity; shall govern, manage and administer the affairs of the Oregon State Insane Asylum, which shall hereafter be known as the Oregon State Hospital; the Eastern Oregon State Hospital, the State Institution for Feeble-Minded, the Oregon State Training School, the Oregon State Penitentiary, the Oregon Institute for the Blind, which shall hereafter be known as the Oregon State School for the Blind, the Oregon School for Deaf Mutes, which shall hereafter be known as the Oregon State School for the Deaf, the State Tuberculosis Sanitarium, which shall hereafter be known as the Oregon State Tuberculosis Hospital, the Oregon Soldiers' Home, which shall hereafter be known as the Oregon State Soldiers' Home, the Capitol building, the Supreme Court building, and such other public institutions, buildings and works as may, from time to time, be created by law and coming within the jurisdiction of said board.

Powers.

Sec. 2. Said board shall do and perform all acts heretofore done and performed by and shall be vested with all authority heretofore vested in the board of trustees of the Oregon State Insane Asylum, the board of trustees of the Oregon State Insane Asylum acting as the governing board of the Eastern Oregon State Hospital; the board of trustees of the State Institution for Feeble-Minded; the board of trustees of the Oregon State Training School; the Governor in his official capacity as the governing authority of the Oregon State Penitentiary and the Oregon Soldiers' Home; the state board of education in its capacity as the governing authority of the Oregon Institute for the Blind, and the board of trustees of the Oregon School for Deaf Mutes; the state commission for the treatment of tuberculosis; the board of public building commissioners, the board of capitol building commissioners and the state purchasing board, all of which said boards, commissions and governing authorities, insofar as they relate to any or all of the above-named institutions and buildings are hereby abolished.

Sec. 3. Said board shall have full authority and exclusive government, direction and supervision over the several institutions enumerated in section 2 of this act; shall make and adopt by-laws for its guidance and for the government of said institutions, provided such by-laws are not inconsistent with the general laws of the state, or the provisions of this act, except as hereinafter provided; shall appoint superintendents and other executive heads of said institutions, and shall select all officers and employes, except in cases where executive heads of an institution are delegated with power and authority to appoint their own subordinates and employes; shall prescribe the duties of said executive heads where the same are not prescribed by law, and such additional duties, beyond those prescribed by law, as it may deem for the good of the public service; shall suspend or dis-

charge executive heads or their subordinates whenever the public service requires such action; shall fix the salaries of all executive heads, subordinates and employes where the same are not fixed by law; shall enter into contracts for the purchase of supplies for said institutions, as well as for fuel, heat, light, water, telephone, equipment, repairs, improvements and betterments, and for the erection, completion and furnishings of all new buildings or additions at said institutions. Said board shall also have full authority to receive, take and hold property, both real and personal, in trust for the state of Oregon, or for any institution which is now or may hereafter be within its jurisdiction, and may sell, transfer, assign, set over or convey the same pursuant to legislative authority; to condemn land and rights-of-way for water pipes, sewers, telegraph, telephone and transmission lines, and to do and perform all legal and peaceful acts requisite and necessary for the successful management and maintenance of said institutions.

Sec. 4. Said board shall hold regular meetings at the state capitol on the third working day of each month, and shall hold such other meetings as, in the judgment of its members, are necessary; a majority of the members of said board shall constitute a quorum. All meetings of said board shall be open to the public and it shall be the duty of said board to cause to be kept a full and correct record of all proceedings, which record shall always be open to public inspection. It shall be the duty of the members of said board to visit each of said institutions, with the exception of the Eastern Oregon State Hospital and the Oregon State Soldiers' Home, at least once every three months and to visit said two institutions last above enumerated at least once every year, and to keep themselves constantly advised as to the condition of all said institutions. It shall be the duty of the executive head of each institution governed by the provisions of this act to submit a biennial report to said board, showing an itemized statement of all receipts and disbursements, the general condition of said institution, a list of all improvements and needed improvements, the number of patients, inmates or wards, the number of officers and employees and the salaries thereof, and such other information as may be of use to said board. Said reports shall be typewritten and shall be submitted in triplicate; they shall represent the condition of each of said institutions on the first day of October preceding the biennial session of the Legislative Assembly, and shall not be printed unless the Legislative Assembly shall, by resolution, so decree. Based upon said typewritten report, said board shall forthwith prepare and cause to be printed a comprehensive report showing the condition of each of said institutions, together with a complete list of receipts and disbursements, an estimate or budget showing the financial needs for the following biennial period, and such other information and recommendations as, in the opinion of said board, will be of value to the members of the Legislative Assembly. In the preparation of said report, technical terms shall be avoided, as far as possible, and every institution shall be treated separately and in plain and intelligible language. It shall be the duty of said board to cause a copy of said report to be mailed to every member of the incoming Legislative Assem-

bly not less than thirty days prior to the convening of said Legislative Assembly.

Sec. 5. Said board shall appoint a secretary, who shall serve during the pleasure of the board and shall receive an annual salary not to exceed two thousand four hundred (\$2,400) dollars, payable quarterly. The secretary shall also receive his actual traveling expenses when traveling in the service of the state, and shall be allowed such clerical assistance as, in the judgment of said board, may be necessary. Before entering upon his duties, the secretary shall take and subscribe to an oath that he will support the Constitution and laws of the United States and the state of Oregon; the secretary shall also give a bond to the state of Oregon in the sum of \$5,000, which bond shall be approved by the board, and shall be conditioned for the honest and faithful discharge of his duties.

Sec. 6. It shall be the duty of the secretary to maintain an office at the state capitol, to keep an accurate record of all the transactions of the board, to preserve records of the several boards heretofore existing for the government of the institutions enumerated in section 2 of this act, to visit all of said institutions at stated intervals, or when directed to do so by the board; to advertise for and receive bids for all supplies, furnishings, repairs, improvements or betterments; to keep the seal of the board and to affix the same to all contracts and instruments executed by the authority and in the name of the board; to prepare all estimates and reports; to examine all samples and to assist the board in all purchases and contracts; to approve all claims; to attend to all correspondence of the board, and to do and perform such other duties as naturally attach themselves to this position, or as may be prescribed by law, or as the said board may direct.

Sec. 7. It shall be the duty of the executive head of each institution governed by this act to report to said board prior to the first day of June and the first day of December of each year, an estimate of the amount, kind and quality of all meat, groceries and other provisions, fuel, clothing, forage, and other material required for the following semi-annual period commencing on the first day of July and the first day of January, respectively, and said board shall then advertise for bids for furnishing the same, said advertisements to be printed twice a week for two consecutive weeks in not more than six newspapers of general circulation; provided, however, that said advertisements shall not specify as to each item of supplies, etc., but shall state in general terms the amount, kind and quality of supplies, etc., desired, and stating that detailed information will be furnished by the secretary; but it shall be the duty of the secretary to cause to be printed and kept in his office, a complete itemized list showing the amount, kind and quality of all supplies, etc., desired, together with instructions to bidders, copies of which shall be distributed among prospective bidders. Bids for supplies shall be opened prior to the first day of July and the first day of January of each year, and no bid shall be considered unless accompanied by a certified check in a sum not less than ten per cent (10 per cent) of the total amount of said bid. All contracts shall be awarded to the lowest bidder or bidders, price and quality considered, but the board shall have the right to reject any or all

bids, and in no case shall it authorize the payment of more than the customary open market place; the said board shall have the right to reject any or all excessive, improper or unreasonable bids, and the provisions of this section shall apply not only to bids for supplies, but also for furnishings, betterments, improvements and new buildings. In the event of an emergency, the board may order the executive head of any institution to purchase supplies or to make repairs without the formality of advertising, provided such supplies are furnished at the lowest market rates, or such repairs are made at the lowest possible cost. Such board may, in its discretion, arrange for the purchase of fuel annually, in December, rather than semi-annually.

Sec. 8. No member or officer of said board, or officer, employee or other person connected with any of the institutions governed by this act, shall be, in any wise, pecuniarily interested in any contract for supplies or services, other than the services of his or her regular employment. The secretary of state is hereby authorized and directed to audit and pay all claims for supplies or materials furnished or services rendered in pursuance of the provisions of this act upon the presentation of duly verified vouchers therefor, approved in writing by the executive head of the institution affected, and the secretary and at least two members of the board.

Sec. 9. At the end of each month, the executive head of each institution shall cause a payroll to be made, which payroll shall show the name of each person employed, the capacity in which such person is employed, the rate of salary or wages, and the amount due, and upon receipt of said payroll, duly certified to by said executive officer, it shall be the duty of the secretary to examine the same, and the board, if said payroll is found correct and regular in every way, shall approve the same and present it to the secretary of state, whose duty it shall be to audit said payroll and draw a warrant upon the state treasurer, in favor of said executive head, in payment of the same, in a like manner as other warrants are drawn for the payment of claims against the state.

Sec. 10. In order to minimize the cost of maintaining the several institutions, all wards of the state who are capable of a reasonable amount of work without physical or mental injury to themselves shall be used as fully as possible in the production and manufacture of articles for the use of, and in the performance of labor for the state, but it shall be unlawful for the board to enter into any agreement or contract with any private person, firm or corporation for the employment of convicts of the Oregon State Penitentiary or to place any prison-made goods on sale in the open market in competition with the products of free labor. In order to encourage industry and thereby increase productiveness of the several institutions, the board may prescribe rules and regulations for the sale and exchange of surplus products of each; provided, that the funds derived from the sale of same shall be paid into the state treasury and become a part of a fund to be known as the State Institutional Betterment Fund, which fund may be expended by said board for the benefit of the several institutions in proportion to the amount earned by each. All lands now, or which may hereafter be owned by the state and devoted to the

uses of any of the institutions located at or near the state capitol shall be treated by the board as if held in common for the use and benefit of all of said institutions and in the apportionment and assignment of said lands for the future use of said institutions, the needs of each, the proximity of the lands and ability to cultivate shall be given due consideration.

Sec. 12. The board shall require the several institutions to adopt and maintain, as far as practicable, a uniform system of accounts so as to permit a ready comparison as to the cost of operation of each institution and shall require each executive officer of said institutions to file monthly reports showing fully the financial and other transactions of the institution and its existing population, conditions, etc., also containing such recommendations or suggestions as, in the opinion of the executive officer, will tend to promote the best interests of the institution.

Sec. 13. Any and all funds received by the state from the federal government, or other sources, for the aid and support of any of the said institutions, shall be paid into the state treasury and disbursed by the board in the usual manner for the uses intended.

Sec. 14. The executive heads of the Oregon State Hospital, the Eastern Oregon State Hospital, the State Institution for Feeble-Minded, the Oregon State Training School, the Oregon State School for the Blind, the Oregon State School for the Deaf, and the Oregon Tuberculosis Hospital shall be known as the superintendents of said institutions; the executive head of the Oregon State Penitentiary as the warden of said institution; the executive head of the Oregon State Soldiers' Home as the commandant of said institution, and the executive head of the capitol and supreme court buildings as the custodian of said buildings. All of said executive heads, except the custodian of the capitol and supreme court buildings, shall be selected and may be removed at the pleasure of the board, and before assuming the duties of their position, said executive heads shall take and subscribe to an oath that they will support the Constitution and laws of the United States and the state of Oregon, and each shall furnish to the state of Oregon, subject to the approval of the board, a bond, in such reasonable amount as the board may designate, conditioned upon the faithful performance of their duties. Said executive heads shall, subject to the approval of the board, appoint all assistants, officers, and other employees at the institutions under their jurisdiction, and may suspend or remove them, reporting all acts of suspension or removal to the board for approval or disapproval; provided, however, that the custodian of the capitol and supreme court buildings shall have absolute authority in the matter of appointing, suspending or discharging the employees used in the maintenance and operation of said buildings and the grounds adjacent thereto, except as hereinafter provided. Said executive heads shall have control of the wards of the state at the institutions under their jurisdiction; shall prescribe or direct their treatment, care, custody and discipline, unless otherwise directed by law or by the rules of the board; adopt sanitary measures for their health and comfort; promote their mental, moral and physical welfare and development, and shall enjoy such other powers and privileges

and perform such other duties as may be prescribed by law or rule of the board or as naturally attach themselves to their respective positions. Said executive heads, with the exception of the custodian of the capitol and supreme court buildings, shall reside at the institutions under their respective jurisdictions and shall be furnished, free of charge, with a residence or housekeeping rooms for himself and his immediate family, household furniture, provisions, heat and light from the supplies of the said institutions. The annual salaries of the several executive heads shall be as follows:

Supt. Oregon State School for the Blind.....	\$1,200.00
Supt. Oregon State School for the Deaf.....	1,500.00

Said executive heads shall receive no other fees or emoluments, but shall receive their actual traveling expenses when traveling in the service of the state.

Oregon State School for the Blind.

Sec. 27. The Oregon State School for the Blind, situated in the city of Salem, county of Marion, shall be used as a free training school for such blind persons as are now or may hereafter be enrolled; provided, however, the length of time which any pupil may continue in school shall not exceed ten (10) years, except in special cases the board may extend the time from year to year. No pupil shall be detained in school after it has been ascertained that such pupil has ceased to make progress or is not being benefitted. Any pupil may be dropped for cause, at any time, by the board. It shall be the duty of the superintendent of said school to see that each person enrolled is given reasonable instruction in the subject taught at said school, and to select the necessary teachers and employees for the successful maintenance of said school according to the methods in vogue in similar institutions.

Further Powers and Duties of Board.

Sec. 32. Said board shall authorize the employment of all necessary physicians, matrons, attendants, nurses, engineers, watchmen, messengers, clerks, guards, cooks, waiters and other officers and employees not specifically authorized by this act and necessary to the successful maintenance of the several institutions, but the amounts which shall be expended for the services of such officers and employees shall never be in excess of the amounts which shall be provided therefor in the biennial appropriations for said institutions. Said board shall designate in its by-laws which of the said employees shall be officers, and shall require all such officers to take and subscribe to an oath of office, and, if the circumstances require it, to furnish bonds. All regular officers and employees, except those of the capitol and supreme court buildings, shall be furnished with board, lodging, heat and light at the expense of the institution to which they are attached, unless the executive head of such institution shall permit officers and employees to maintain their own establishments or reside elsewhere. Said board shall not consider any petition or proposition for salary or wage increases unless the same shall be endorsed in writing by the executive head of the institution from which said petition or proposition arises. Said board shall have the right to do and perform all requisite and

necessary acts, in addition to those authorized herein for the successful maintenance of the several institutions under its jurisdiction; provided such acts are not in conflict with the Constitution and laws of the United States or the state of Oregon.

Sec. 33. No member of said board shall receive any salary, fee or other compensation for services rendered as a member of said board, but shall receive all necessary traveling expenses from the funds appropriated by this act when traveling on tours of inspection of the several institutions.

Sec. 34. For the purpose of paying the salaries of the secretary and other officers and employees of the board and of defraying the expenses of clerical aid, stationery, postage stamps, printing, advertisements, traveling expenses of the board and the secretary, and such other incidental expenses as may properly be charged to the maintenance of the board and the carrying on of its work, there is hereby appropriated for the year 1913, and annually thereafter, the sum of seven thousand and five hundred (\$7,500.00) dollars, or so much thereof as may be necessary; provided, however, that any unexpended balance at the end of each year shall revert to and become a part of the general fund of the state. The moneys so appropriated shall be paid out only upon warrant drawn by the secretary of state on the state treasurer. In estimating the need of the several institutions, the executive heads of the same shall take into account the funds appropriated by this act and shall not include in their own estimates the clerical and other expenses heretofore defrayed out of the funds of each separate institution, but hereafter payable out of the funds appropriated by this act.

Sec. 35. Whenever the word "Board" appears in this act it shall, unless otherwise designated, be construed to mean the Oregon State Board of Control; wherever the word "institution" appears, it shall, unless otherwise designated, be construed to mean an institution governed by the provisions of this act, and whenever the word "secretary" appears, it shall, unless otherwise designated, be construed to mean the secretary of the Oregon State Board of Control.

OREGON.

1913.

Compulsory Education.

The truant officers of the state must at the beginning of each school month report to the county judge of their respective counties the names, ages and residence of all blind children between the ages of 8 and 18 years, with the names of their parents or the persons in charge of them. He must also make a statement as to whether the parents or guardians are able to educate such child or whether the interests of such child would be promoted by sending it to the state school. The child may be brought before the judge for a hearing and if the judge is satisfied that the child is not being properly educated at home and will be benefited by attending the state school and is a suitable person to receive instruction there, he may send the child to the school. All expenses are paid by the child's county of residence if the parent is unable to pay. These provisions apply only to children who are en-

titled to instruction at the school under the rules and regulations of the board of control. The clerks of the several school districts must report the names, addresses and ages of all blind children between the ages of 6 and 14 years within their respective districts, together with the names of the parents of such children, which come or are brought to their attention, to the county school superintendent of the county, who must report them to the superintendent of the school for the blind.

PENNSYLVANIA.

1887.

Section 1 of the Acts of General Assembly approved May 25, 1887, provide as follows:

"That the time for which indigent pupils of this commonwealth may be taught in institutions for the instruction of the blind, at the expense of the commonwealth, is hereby extended to twelve years from the time of entering said institutions."

LEGISLATURE OF PENNSYLVANIA.

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws general, special or local, or any parts thereof that are or may be inconsistent therewith, by providing for the (care and) education of certain blind children under eight years of age."

Section 1. Be it enacted by the Senate and the House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, that the act approved the eighteenth day of May, one thousand nine hundred and eleven entitled "An act to establish a public school system in the commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation therefore, providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws general, special and local, or any parts thereof that are or may be inconsistent therewith," is amended by adding article XVI, a new section, which reads as follows: .

Section 1439. The State Board of Education is authorized to (care for and) educate blind children residing in this commonwealth under the age of eight years, whenever from any cause the parent or parents thereof may be unable properly to (care for and) educate them, with the written consent of the proper parent, parents or nearest relative if there be no parents, or the proper authorities of the proper poor district, if there be neither parents or relatives, the board may contract with any non-sectarian institution in this state or elsewhere, established for the care, education and maintenance of the blind, whereby any such children may at a cost not exceeding one dollar (\$1.00) per day, to be paid out of the state school fund, be (cared for and) educated until it shall reach the age of eight years. The contract may be cancelled and the child or children removed at any time by the board.

This act shall not repeal or modify any existing act relative to the education of the blind.

PENNSYLVANIA.

1887.

CHARTER OF INCORPORATION

Granted by the

COURTS OF ALLEGHENY COUNTY, January 8th, 1887.

Commonwealth of Pennsylvania—ss.

Be it remembered that H. Kirks Porter, A. M. Marshall, Wm. A. Herron, John A. Wood, Henry Holdship, Rev. E. R. Donehoo, B. F. Long, John H. Ricketson, John W. Chalfant, Dr. J. A. Lippincott, A. M. Brown, William Thow, George W. Dilworth, C. F. Dean, Oliver P. Scaife, Rev. E. P. Cowan, Rev. J. T. McCrory, L. H. Harris, Thomas Ewing, Morris H. Danziger, John R. McCune, Samuel S. Brown, Dr. W. H. Winslow, Chas. J. Clarke and Rev. John G. Brown, all citizens and residents of the County of Allegheny, and Commonwealth of Pennsylvania, have formed a voluntary association for the support of a charitable undertaking, to-wit: The education and maintenance of the blind, and desire to be incorporated for the purpose aforesaid, by the name of "Western Pennsylvania Institute for the Blind," under and pursuant to the provisions of the Act of Assembly of said commonwealth entitled "An act to provide for the incorporation and regulation of certain incorporations, approved April 29th, 1874, and to have all the powers conferred upon such corporations by said act of assembly; and, for the purpose aforesaid, they have made the following Certificate of Incorporation, and pray that the same may be duly approved and recorded as their

CHARTER.

1. The name of the corporation shall be the "Western Pennsylvania Institution for the Blind."

2. The said corporation is formed for a charitable purpose, to-wit: The education and maintenance of the blind.

3. Said corporation shall be located within the county of Allegheny, and its chief office and place of business shall be in the city of Pittsburgh.

4. Its charter shall be perpetual.

5. The number of directors shall be nine, and the names and residences of those chosen directors for the first year are as follows, viz: A. M. Marshall, Allegheny City; Capt. John A. Wood, Chartiers Township; Rev. E. R. Donehoo, Pittsburgh; Wm. A. Herron, Pittsburgh; C. F. Dean, Pittsburgh; John H. Ricketson, Allegheny City; G. W. Dilworth, Pittsburgh; J. M. Schoonmaker, Pittsburgh; H. K. Porter, Pittsburgh, all of the county of Allegheny.

6. The said corporation shall have neither shares nor capital stock, but it shall take and hold both real and personal property, by purchase, gift, grant, devise and bequest, as the purpose of the corporation may require, not exceeding the amount limited by law.

In testimony whereof the said corporators have subscribed this Certificate and Charter the 13th day of December, A. D. 1888.
County of Allegheny—ss.

On the 31st day of December, A. D. 1886, before me, the Recorder of Deeds of said county, personally came A. M. Brown, E. R. Donohoo and William A. Herron, who have subscribed the foregoing Certificate of Incorporation and duly acknowledged the same to be their act and deed, and I do hereby certify the same under my hand and seal, conformably to law, the day and year aforesaid.

WILLIAM H. GRAHAM,
Recorder of Deeds.

(SEAL)

Commonwealth of Pennsylvania }
County of Allegheny } ss.

The foregoing certificate of incorporation of the "Western Pennsylvania Institution for the Blind," having been presented to me, Christopher Magee, one of the law judges of the Court of Common Pleas, No. 2, of the County of Allegheny, on this 8th day of January, A. D. 1887, and it appearing that the same is duly certified under the hand and official seal of the recorder of deeds of said county, and accompanied by due proof of the publication notice of said application for a charter of incorporation; and having perused and examined said instrument, and found the same to be in proper form, and within the purposes named in the first class specified in the second section of the Act of Assembly entitled "An act to provide for the incorporation and regulation of certain corporations," approved the 19th day of April, 1874, and the same appearing to be lawful, and not injurious to the community, I do find and endorse thereon these facts, and do order and decree thereon that the said charter is approved, and that upon the recording of said charter and this order, the subscribers thereto and their associates shall be a corporation for the purposes and upon the terms therein stated, and the said order and charter shall be recorded in the office for the recording of deeds in and for the county aforesaid, and from henceforth the persons named therein and subscribing the same, and their associates and successors, shall be a corporation by the name therein given.

CHRISTOPHER MAGEE,
Law Judge, Common Pleas No. 2.

January 8, 1887.

State of Pennsylvania }
Allegheny County } ss.

I, William H. Graham, Recorder of Deeds in and for the county aforesaid, do hereby certify that the foregoing charter of incorporation of the Western Pennsylvania Institution for the Blind, with the order and decree of the Honorable Christopher Magee, one of the Judges of the Court of Common Pleas No. 2, of the County of Allegheny, endorsed thereon, was duly recorded in the office of the Recorder of Deeds in and for said county, in charter book No. 10, page 472, on the 10th day of January, A. D. 1887.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal, the day and year aforesaid.

WILLIAM H. GRAHAM,
Recorder.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA.

In re Incorporation of the

PENNSYLVANIA ASSOCIATION FOR THE BLIND.

No. 869. July Term, 1912.

Certificate of Incorporation.

To the Honorable the Judges of said Court:

The undersigned subscribers, citizens of the commonwealth of Pennsylvania, having associated themselves for the purposes hereinafter mentioned and being desirous of becoming incorporated agreeably to the provisions of the Act of Assembly of the commonwealth of Pennsylvania entitled "An act to provide for the incorporation and regulation of certain corporations," approved the 29th day of April, 1874, and its various supplements, do hereby declare, set forth and certify that the following are the purposes, objects, articles and conditions of this association for and upon which they desire to be incorporated:

First. The name of the corporation shall be Pennsylvania Association for the Blind.

Second. The purpose for which the corporation is formed is the support and promotion of the interests of the blind and the prevention of unnecessary blindness, and more particularly:

- (1) To act as a bureau of information and industrial aid.
- (2) To establish, equip and maintain one or more schools for industrial or agricultural training and workshops for the employment of the blind.
- (3) To devise a means for the sale and distribution of the products of such schools and plants and homeworkers.
- (4) To provide industrial instruction for blind women in their own homes.
- (5) To aid the poor, aged and infirm blind who are not capable of learning a trade.
- (6) To aid in the prevention of blindness.
- (7) To arouse the public to a clearer appreciation of the capabilities of the blind.

Third. The place where the business of the corporation is to be transacted is in the city of Pittsburgh, county of Allegheny and state of Pennsylvania.

Fourth. The corporation is to exist perpetually.

Fifth. The names and residences of the subscribers are as follows: Col. J. M. Schoonmaker, Mrs. Phoebe Ruslander, Dr. William W. Blair, Dr. Paul Franklin, Mr. Geo. D. Edwards, Miss Jesse Welles, Mrs. Pauline B. Friend, Mrs. Mary Morrison Barr, Dr. Amelia Dranga, Mr. Wm. H. Long, Mr. Thos. McQuaide, Mr. Wm. Grant Chambers, Mr. Harry M. Shafer, Mrs. Rose F. Sunstein, Mr. Charles C. Cooper, Dr. F. H. Frederick, Mrs. Mary M. Flannery, Mr. Thomas S. McAloney, Mrs. Nina H. McCullough, all of Pittsburgh, Pa.

Sixth. The officers of the corporation or association shall be a president, three vice presidents, a recording secretary, a corresponding secretary, a treasurer and a board of directors of eighteen. The officers and the board of directors chosen for the first year, except as other-

wise shown, are the following: President, Col. J. M. Schoonmaker, Pittsburgh, Pa. Vice presidents, Mrs. Phoebe Ruslander, Dr. William W. Blair and Dr. Paul Franklin, all of Pittsburgh. Recording secretary, Miss Jesse Welles, Pittsburgh. Corresponding secretary, Mrs. Pauline B. Friend, Pittsburgh. Treasurer, Mr. George D. Edwards, Pittsburgh. Board of directors, terms expiring 1913, Mrs. Mary Morrison Barr, Dr. Amelia Dragna, Mr. William H. Long, Mr. Thomas McQuaide, Dr. William W. Blair, Mr. William Grant Chambers, all of Pittsburgh, Pa.

Terms expiring 1914: Mr. Harry M. Shafer, Mrs. Rose F. Sunstein, Mr. Chas. C. Cooper, Mr. Geo. D. Edwards, Mrs. Pauline B. Friend, Dr. F. H. Frederick, all of Pittsburgh, Pa.

Terms expiring 1915: Mrs. Mary M. Flannery, Mr. Thos. S. McAloney, Mrs. Nina H. McCullough, Col. J. M. Schoonmaker, Mrs. Phoebe Ruslander, Miss Jesse Welles, all of Pittsburgh.

Seventh. The corporation not being for profit, there is no capital stock. The association will be maintained out of membership dues, donations and contributions.

Eighth. The corporation shall have power to purchase and hold such real and personal property as its purposes may require and the same or any part thereof to grant, bargain and sell, mortgage, improve or dispose of, and in general to do all things which may be lawful and necessary for the well-being and proper management of the said corporation: provided that the real estate of the said corporation shall not exceed the amount limited by law.

Ninth. The corporation shall have the right to adopt a constitution and by-laws for its government, and to change, alter or amend the same, not inconsistent with the constitution or laws of this commonwealth.

Signed—J. M. Schoonmaker, Mrs. Phoebe Ruslander, William W. Blair, Dr. Paul H. Franklin, Geo. D. Edwards, Jessie Welles, Mrs. Pauline B. Friend, Mrs. Mary Morrison Barr, Dr. Amelia Dragna, W. H. Long, Thos. A. McQuaide, William Grant Chambers, Harry M. Schafer, Mrs. Rose Sunstein, Charles C. Cooper, Dr. F. H. Frederick, Mrs. Mary M. Flannery, Thos. S. McAloney, Nina H. McCullough.

Order issued 27th day of May, A. D. 1912.

(Signed) ROBERT S. FRAZIER,

Resident Judge Court of Common Pleas of Allegheny County.
From the Record:

WILLIAM B. KIRKER,
Prothonotary.

PENNSYLVANIA.

1913.

Section 1413. It shall be the duty of the county or district superintendent, attendance officer or secretary of the board of school directors, in every school district in this commonwealth, to report to the medical inspector of the school district every blind, deaf, or mentally deficient child in the district, between the ages of eight (8) and sixteen (16) years, who is not being properly educated and trained. The medical inspector of the school district shall examine such child, and report to the board of school directors whether it is a fit subject for educa-

tion and training. If the child is reported to be a fit subject for education and training, but cannot be properly educated and trained in the public schools of the district, the board of school directors shall secure for it proper education and training; Provided, that when it is necessary to educate or train such children outside of the public schools, their parents or guardians shall, if able to do so, pay to the district the expense necessarily incurred by it in educating and training the same; And provided further, that any child who is reported by the medical inspector of the school not to be a fit subject for education and training shall be exempt from the provisions of this act.

Senate Bill No. 50 of the Laws of 1913.

An act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An act to establish a public school system in the commonwealth of Pennsylvania," by providing for the education of certain blind children, under eight years of age.

Approved—The 8th day of May, A. D. 1913.

PENNSYLVANIA.

(Abstract taken from the last United States Census.)

Education of the Blind.

1915.

Appropriations are made by the state for the education of indigent blind residents of the state in two private institutions for the blind. Indigent blind pupils may be taught in institutions at the expense of the state for twelve years from the time of entering the institution. Appropriations were also made in 1915 for the Pennsylvania Association for the Blind, the Pennsylvania Home Teaching Society and Free Circulating Library for Blind Men, and the Pennsylvania Working Home for Blind Men.

Census of the Blind.

1903.

At the time of taking the septennial census the assessors of other officers must make out a separate list of the blind persons, if any, resident in their respective townships, towns, wards or districts, distinguishing their sex, color, and as nearly as may be, their several ages; and it is the duty of the commissioners of the several counties to make returns of the census to the Governor.

Exemption of the Blind.

1903.

The blind are specially exempted from the penalties of the law against tramps.

RHODE ISLAND.

1909.

Section 1. The Governor, on recommendation of the state board of education, upon application of the parent or guardian, may appoint any deaf, blind or imbecile child, being a legal resident of this state, who shall appear to said board to be a fit subject for education, as a state beneficiary at any suitable institution or school now established or that may be established, either within or without the state, for such period as he may determine, within the limit of ten years: Provided,

that he may, upon the special recommendation of the state board of education, extend the period and that he shall have the power to revoke any appointment at any time for cause.

Sec. 2. The board of education are hereby clothed with the duty and responsibility of supervising the education of all such beneficiaries and no child appointed as above shall be withdrawn from any institution or school except with their consent, or the consent of the Governor; and said board shall annually report to the general assembly their doings under this chapter, with such further information in relation to the several institutions at which these beneficiaries have been placed as may be deemed desirable.

Sec. 3. The board of education may expend in the purchase of necessary clothing for such beneficiaries a sum not exceeding twenty dollars, in any calendar year, for a single child.

Sec. 4. All bills arising under this chapter shall be examined and approved by the board of education, and the state auditor is hereby authorized to draw his orders on the general treasurer for the payment thereof when properly certified by the secretary of the board and approved by the Governor; and a sum not to exceed seventeen thousand dollars, or so much thereof as may be needed, is hereby annually appropriated therefor out of any money in the treasury not otherwise appropriated.

RHODE ISLAND.

1913.

It is enacted by the General Assembly as follows:

Sec. 1. Chapter 100 of the General Laws entitled "Of provision for the education of the deaf, blind and imbecile children," is hereby amended by adding thereto the following sections:

Sec. 4. The state board of education shall have power to provide for the suitable care, maintenance and instruction of babies and children under school age residing in this state, who may be born blind or become blind, in any case where by reason of lack of means or other cause the parent or parents of such children may be unable to properly care for and educate such children.

Sec. 5. For the purpose of providing such care, maintenance and education the said board of education shall have power to contract with any institution having or furnishing facilities for such care, maintenance and education in this or any other state at a contract price to be agreed upon, not exceeding one dollar per day. Provided, that such contract shall be made by and with the written consent of the parents or the surviving parent of any such child.

Sec. 2. Section 4 of said chapter 100 of the general laws is hereby renumbered section 6.

Sec. 3. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

RHODE ISLAND.

January Session, 1911.

An Act in amendment of Section 16 of Chapter 63 of the General Laws, entitled "Of the Board of Education."

It is enacted by the General Assembly as follows:

Section 1. Section 16 of Chapter 63 of the General Laws, entitled "Of the Board of Education," is hereby amended so as to read as follows:

"Section 16. The state board of education is hereby authorized and empowered to provide for the instruction at their homes of adult blind residents of this state upon such conditions and in such manner as may seem proper to said board; and the sum of three thousand dollars is hereby annually appropriated for the purpose of carrying the provisions of this section into effect."

Sec. 2. For the purpose of carrying this act into effect the sum of five hundred dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated; and the state auditor is hereby directed to draw his orders upon the general treasurer for the payment of said sum or so much thereof as may be necessary upon the receipt of vouchers properly authenticated by said board.

Sec. 3. This act shall take effect on and after its passage and all acts and parts of acts inconsistent herewith are hereby repealed.

RHODE ISLAND.

1917.

The appropriation bill of 1917 reads as follows:

"For the instruction of adult blind residents of the state at their homes, three thousand dollars.

"For the education of blind and imbecile children, ten thousand dollars."

The figure ten thousand is explained as being the amount considered sufficient for these purposes by the budget committee after estimate, although an outside limit of seventeen thousand dollars is allowed by law.

RHODE ISLAND

1913.

Section 1. Chapter 100 of the General Laws, entitled "Of Provision for the Education of Deaf, Blind and Imbecile Children," is hereby amended by adding thereto the following sections:

4. The state board of education shall have power to provide for the suitable care, maintenance and instruction of babies and children under school age residing in this state who may be born blind or become blind in any case where by reason of lack of means or other cause the parent or parents of such children may be unable to properly care for, maintain and educate such children.

5. For the purpose of providing such care, maintenance and education the said board of education shall have power to contract with any institution having or furnishing facilities for such care, maintenance and education in this or any other state at a contract price to be agreed upon, not exceeding one dollar (\$1) per day: Provided, that such contract shall be made by and with the written consent of the parents or the surviving parent of any such child.

Signed by Governor A. J. Pothier.

April 23, 1913.

RHODE ISLAND.

(Abstract from the last United States Census.)

Education of the Blind.

1911.

The State Board of Education may provide for the instruction at their homes of adult blind residents of the state, and \$3,000 is annually appropriated for this purpose.

Exemption of the Blind.

1909.

The blind are specially exempted from the penalties of the laws applying to tramps.

SOUTH CAROLINA.

Chapter XXVII.

Code of Laws, S. C.

1912.

1918. *Board of Commissioners.* The Board of Commissioners for the South Carolina Institution for the Education of the Deaf and Dumb and the Blind shall consist of five members as follows: The Superintendent of Education, ex-officio, and four members to be appointed by the Governor, three of whom shall reside in Spartanburg County. The term of office of aforesaid four members shall be, respectively, two, four, six and eight years, the terms of each to be designated by the Governor when appointed. At expiration of term of office of any member of the board, the Governor shall fill vacancy by appointment for term of eight years, the Governor to have power to remove for cause at any time. The said board shall be allowed actual expenses for not more than two meetings in each year, to be paid by the superintendent of the institution. Nothing herein contained shall interfere with the present board of trustees and until after their term of office expires.

1919. *Duties and Powers of Board.* The Board of Commissioners are vested with the supervision and control of affairs and government of said institution, with power to regulate salaries of officers and teachers, to establish conditions, forms and regulations for the admission of pupils therein, and to prescribe rules and by-laws as in their judgment shall be necessary for the management and good government thereof.

1920. *Superintendent—How Elected.* The superintendent of said institution shall be elected by said Board of Commissioners and shall be the immediate executive head of the institution, and shall be responsible to the Board of Commissioners.

1921. *Duties and Powers of Superintendent.* The superintendent shall nominate all his subordinate officers and teachers, subject to the approval of the Board of Commissioners; he shall be the official medium of communication between the board and said subordinate officers and employees; shall make all regulations of internal police; shall authorize the purchase of ordinary supplies, and shall examine and certify to the correctness of all bills of such supplies.

1922. *Meetings of Board.* The Board of Commissioners shall elect a chairman and secretary from their number, and shall meet annually on the first Wednesday in August at the institution, and at such other

times and places as the chairman of the board shall direct. The Board of Commissioners shall receive no compensation for their services.

1923. *Reports of Board.* The Board of Commissioners shall draw the annual appropriation as made by the Legislature for the support and maintenance of said institution, and shall annually report to the Legislature a statement of their various acts and doings during the past year, showing exactly how they disbursed the money received and expended and file vouchers covering the same in the office of the Comptroller General.

1924. *All Deaf Mutes and Blind Persons Admitted.* All deaf mutes and blind of the state who are of proper age and mental capacity (each case to be decided by the Board of Commissioners) shall be admitted to the benefits of the institution.

1925. *Expenses of Applicants.* The whole or part of the expenses of the several applicants shall be paid according to the opinion which the commissioners may form as to the pecuniary condition of the applicants; and in case of more applications than would exhaust the annual appropriation, the commissioners shall make selections according to their opinion of the deserts of the various applicants.

1926. *Expenses of Pupils.* The sum which shall be allowed for the board, tuition and all incidental expenses of one deaf mute or blind person for one year shall not exceed one hundred and fifty dollars, not including therein traveling expenses, clothing and medical attention which the commissioners shall place upon the most economical scale.

1927. *Board May Provide for Higher Education of Any Graduate.* The Board of Commissioners of the School for the Deaf, Dumb and Blind may, upon the recommendation of the superintendent and faculty appropriate one hundred and fifty dollars (\$150.00) annually to provide for the higher education of any graduate thereof matriculating in any special or regular course offered in any chartered college.

The board shall make suitable regulations for each student, but not more than four graduates shall be thus aided in any one year.

POLITICAL CODE OF SOUTH DAKOTA.

Chapter 9, Article 4.

The South Dakota Blind Asylum.

569. An institute for the care and education of the blind, to be known as the "South Dakota Blind Asylum," heretofore located and established on a plat of land in the town of Gary, in the county of Deuel, and known as the "Court House Block," shall continue as such and shall be under the control and supervision of the State Board of Charities and Corrections.

570. It shall be the duty of the said board to make all necessary rules for the government of the same, and to employ a superintendent and such instructors and attendants as may be necessary.

571. Each county superintendent of schools shall report to the county commissioners of his county, at any regular meeting of said commissioners the name, age, name of parent or guardian, and post office address of every blind person and all such persons as may be too blind to acquire an education in the common schools, between the age of ten and thirty years, residing in his county.

572. It shall be the duty of the county commissioners, when they have been notified that there are any blind persons in their county who are entitled to the benefits of an institution for the support and education of the blind, to at once report the name, age and residence of such persons in their county to the Governor of this state.

573. Every blind person of this state and all such as may be too blind to acquire an education in the common schools, of suitable capacity, between the ages of ten and thirty years, shall be entitled to receive an education of at least eight years at the expense of the State of South Dakota, at said institution for the support and education of the blind: Provided, that the time that any pupil or pupils have spent in any institution for the education of the blind shall be deducted from the eight years above mentioned.

574. In order to entitle any blind person to the benefits of this article it shall be necessary for such person to obtain a certificate of the superintendent of schools of the county in which said person resides, that such person, giving name, age and place of residence, is blind, or too blind to acquire an education in the common schools, and is entitled to the benefits of such an institution, which certificate shall be approved by the Governor; and upon presentation of such certificate and an order from the Governor to the authorities of the institution to admit such person, specifying the time for which he or she shall be admitted, such person shall be admitted into such institution and receive all the benefits of the same.

Fifteenth Session, Legislative Assembly, State of South Dakota.

HOUSE BILL NO. 279.

Introduced by Mr. McFarland.

A Bill for an Act entitled, An Act to Provide for the Care, Maintenance and Instruction of the Blind Babies and Children Under School Age.

Be it enacted by the Legislature of the State of South Dakota:

Section 1. The Board of Charities and Corrections shall have power to provide in the State of South Dakota for the South Dakota School for the Blind or any other institution that can give proper care and education for the suitable care, maintenance and instruction of blind babies and children under school age, residing in this state, who may be born blind or become blind.

Sec. 2. For the purpose of providing for this care, maintenance and education the said Board of Charities and Corrections shall have the power to furnish all necessary attendance and facilities for the suitable care, maintenance and education of such blind babies and children under school age in South Dakota, either in the South Dakota School for the Blind or any other properly equipped institution, and to provide for the transportation of such blind babies and children under school age from their place of residence to such institution.

Sec. 4. Whereas an emergency exists, in that there is no law in this state for the admission of the blind babies or children under school age into the South Dakota School for the Blind or any other institution therefor, this act is declared to be necessary for the immediate preservation of the public health and safety and shall be in force and effect from and after its passage and approval.

SOUTH DAKOTA.

(Abstract from the last United States Census.)

Compulsory Education.

1907-1911-1913.

The county superintendent of schools of any county must notify and require every parent or guardian or person having control of blind persons between the ages of 6 and 30 years who have been unable to receive an education at the public schools and who have not received instruction at any institution for the blind to send such persons to the state school for the blind. In case a person having control of such blind persons, after 10 days' notice, refuses or neglects to do as required, the county school superintendent must make complaint, stating all these facts, to the county judge. The county judge must investigate the matter, and if the facts set forth in the complaint are found to be true, must order the parent or person having charge of the blind person to send him to some school for the education of the blind.

It is the duty of every county or city superintendent of schools to send to the superintendent of the school for the blind the names of all blind children of proper school age residing in his county or city whenever the residence of the blind children within their jurisdiction becomes known to them, and the superintendent of the school for the blind must take all necessary action to provide that the blind children be given the advantages of proper education.

Chapter 187.

(S. B. 101)

PROVIDING FOR ADMISSION OF PUPILS TO THE SCHOOL FOR THE BLIND.

An Act entitled, An act to provide for admission of pupils to the School for the Blind at Gary, South Dakota, and repealing sections 571, 572, 573 and 574 of the Political Code of Revised Code of 1903, of South Dakota.

Be it enacted by the Legislature of the State of South Dakota:

1. Whenever it shall come to the notice or knowledge of the county superintendent of schools of any county in this state, that any person residing in such county, between the ages of six and thirty years, by reason of blindness, either partial or total, has not received and is unable to receive the full benefits of the public schools, and is not regularly attending a school for the blind, and has not received a full course of instruction in any institution for the blind and is in need of such instruction, it shall be the duty of such county superintendent of schools to forthwith notify and require the parent, guardian or custodian of such person to send such person, forthwith, to the South Dakota School for the Blind; and in case such parent, guardian or custodian shall, for the space of ten days after such notice, refuse or neglect to send such person to said school for the blind, such county superintendent of schools shall make complaint before the county judge of such county, setting forth the age and place of residence of such person and that such blind or partially blind person is being deprived of an education by the refusal or neglect of his or her parent, guardian or custodian, and thereupon such county judge shall investi-

gate such matter and make such order and take such proceedings as are or may hereafter be provided by law.

2. All persons, residents of this state, between the ages of six and thirty years, who, by reason of blindness, either partial or total, have not received and are unable to receive the full benefits of the public schools, and who shall be capable of receiving instruction, and who are free from contagious or chronic diseases, and physically fit to attend such school shall, upon application to the superintendent of the South Dakota School for the Blind, be received and taught, free of charge, at such school and shall be entitled to receive an education of at least ten years at the expense of the state of South Dakota at the said institution for the support and education of the blind, if within the age limit prescribed in this section; and the time that any pupil or pupils shall have spent in any institution for the education of the blind shall be deducted from the ten years above specified; provided, however, that all pupils shall, in any event, be entitled to such support and education until they shall have arrived at the age of eighteen years. And pupils under the age of six years or over the age of thirty years may, when circumstances warrant or require it, with the approval of a majority of the state board having control of said school, be received and taught therein as herein provided. Like pupils may be received from without the state upon payment to the superintendent of such school, of such charges for board, tuition and care, as shall be fixed by the state board having charge of such institution; but no pupil from without the state shall be received to the exclusion of any pupil resident of this state from any of the privileges or benefits of the school. If, in the judgment of the state board having control of said institution, upon recommendation of the superintendent of the said school a pupil is capable, and by reason of general fitness is qualified to receive advanced instruction for the purpose of fitting such pupil to enter a college or higher institution for the blind, such pupil shall be entitled to attend said school for a term not to exceed three years, in addition to the term hereinbefore specified, and the age of such pupil shall not disqualify him or her from receiving such additional instruction preparatory to entrance to a college or higher institution for the blind. All pupils shall freely and equally enjoy all the benefits and privileges of the school, and have the use of the library and books of instruction, and receive tuition, board, washing, lodging, attendance, medical care, etc., without preference or distinction. All pupils shall be treated with the most considerate regard for their misfortune, and always with kindness and humanity, and the board shall carefully enforce this provision.

It shall be the duty of the person sending such blind or partially blind person to such school, to thereupon pay the superintendent of such school an amount of money sufficient to purchase for such pupil a return ticket to its home, and also to deposit with said superintendent the sum of ten dollars additional, which may be used by such superintendent in the purchase of necessary clothing and in defraying other incidental expenses of such pupil; and at the close of the school year, or whenever such pupil ceases to attend such school, it shall be the duty of such superintendent to furnish such pupil a return ticket, and

to return the unexpended balance of such deposit, together with an itemized statement showing all moneys expended by such superintendent for clothing or incidental expenses of such pupil, as aforesaid.

In case the parent, guardian or custodian of such blind or partially blind person, residing in this state, shall be unable to pay the railroad fare of such person and make the deposit hereinbefore provided for, it shall be the duty of the board of county commissioners of the county in which such person resides to advance and pay such railroad fare and such deposit, upon requisition of the superintendent of said school for the blind, approved by the state board having control of said institution.

3. Sections 571, 572, 573 and 574 of the Political Code of Revised Codes of 1903 of this state, and all acts and parts of acts in conflict with the provisions of this act, are hereby repealed.

4. An emergency is hereby declared to exist, and this act shall take effect and be in force on and after its passage and approval.

Approved February 21, 1913.

TENNESSEE.

An Act of January 29, 1844.

An act to aid in the establishment of an institution for the instruction of the blind, deaf and dumb.

Section 1. Be it enacted by the General Assembly of the state of Tennessee, that it shall be the duty of the Governor, immediately after the passage of this act, and ever thereafter on the first day of January, to appoint three persons who shall act as trustees of an institution to be established in the town of Nashville for the instruction of the blind, and that said trustees shall hold their offices for the term of two years, and until their successors are appointed, and shall receive all moneys, whether appropriated by the state or raised by private or individual contribution, for the use and benefit of said institution; and to deposit such money for safe keeping with the cashier of the Bank of Tennessee at Nashville, which officer is hereby made treasurer of said institution, and responsible for the safe keeping of its funds, in the same manner and under the same penalties as are now provided by law to insure the faithful performance of other official duties; and said trustee shall also disburse said moneys in accordance with the directions of the General Assembly, and in the mode best calculated to effect the object of said institution.

Sec. 2. Be it enacted, that it shall be the duty of said cashier of the said Bank of Tennessee at Nashville to settle his whole account with said institution with the comptroller of the state, in the month of December in each year; and that said cashier shall pay no money in discharge of any claim against the said institution unless upon an order signed by a majority of the board of trustees named in the preceding section.

Sec. 3. Be it enacted, that the sum of fifteen hundred dollars be appropriated annually for the benefit of said institution and that said sum shall be paid on the order of a majority of the said board of trustees to the said treasurer, out of the moneys in the treasury of the state not otherwise appropriated: and the said board of trustees shall, during the first week of the regular session of each General Assembly,

make a report to that body setting forth a statement of all their official acts, and giving an account of the condition and progress of the institution, and making such suggestions in regard to its future management as they think will tend to promote and increase its usefulness and efficiency as a scheme of benevolence; provided the traveling expenses of the pupils in coming to the seminary whose parents are poor and unable to pay the same, may be paid out of the money appropriated by this act; provided, that no allowance shall be made for a less distance than one hundred miles.

Sec. 4. Be it enacted, that the sum of one thousand dollars be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of establishing in the city of Knoxville an institution for the education of the deaf and dumb, which institution shall be conducted under like provisions as are prescribed by this act for the Institution for the Instruction of the Blind.

Sec. 5. Be it enacted, that the money hereby appropriated shall be applied to the necessary expenses in carrying on the schools; but nothing herein contained shall authorize the trustees to apply any portion thereof to the purchase of real estate or erecting buildings thereon; provided, that nothing in this act shall prevent the trustees from purchasing a site and erecting the necessary buildings, if the same can be done upon private contributions.

D. L. BARRINGER,

Speaker of the House of Representatives.

L. M. ANDERSON,

Speaker of the Senate.

JOHN S. YOUNG,

Secretary of State.

Passed January 29, 1844.

A true copy.

TENNESSEE.

House Bill No. 275.

An act to create a state board of control to manage and govern the penal, reformatory and charitable institutions controlled and operated by the state.

Section 1. Be it enacted by the General Assembly of the state of Tennessee, that the intent and purpose of this act are to provide humane and scientific treatment and care and the highest attainable degree of individual development for the dependent wards of the state.

Sec. 5. Be it further enacted, that the board shall have full power to manage and govern the following institutions. The Tennessee School for the Blind.

Senate Bill No. 848.

An Act to provide for the care, maintenance and education of blind children of school age, who are not eligible to the state school for the blind for lack of training, where the parents of such child have not sufficient means to properly care for the child.

Section 1. Be it enacted by the General Assembly of the state of Tennessee, that the state board of education shall have the power to provide for the suitable care, maintenance and instruction of blind

children of school age, who are not eligible to the Tennessee School for the Blind for lack of training and who need special kindergarten training to prepare them for admission in said school for the blind, residing in the state, who may be born blind or become blind, in any case where by lack of means the parent or parents of such children are unable to properly care for, maintain and educate such children.

TENNESSEE.

686. 598. *Poll Tax, who is liable to.* Every made inhabitant over the age of twenty-one and under fifty years, except persons who are deaf, dumb, blind or incapable of labor, shall pay a poll tax for school purposes, and no others. (1895, ch. 120, sec. 67).

1254. *Assistance to physically disabled voters.* Any voter who declares to the officer holding the election that, by reason of blindness or other physical disability, he is unable to mark his ballot, shall, upon request, receive the assistance of the officer holding the election in the marking thereof, and such officer shall certify on the outside that it was so marked with his assistance and shall give no information in regard to the same. (Ex. Ses. 1890, ch. 24, sec. 16).

Of the Institution for the Blind.

2643. (1565) 2072. *Blind school, corporation.* The institution for the instruction of the blind, now in existence and operation in the city of Nashville, shall continue to be a body corporate, by the name of the "Tennessee School for the Blind." (1845-46, ch. 157, sec. 1. 1870, ch. 54, sec. 10).

2644. (1566) 2073. *Corporators.* There shall be seven trustees; and the trustees and their successors, to be appointed by themselves, subject to confirmation by the legislature, shall be the constituents of the said corporation, and shall have perpetual succession. (1859-60, ch. 123, sec. 2).

2645. (1567) 2074. *Rights of corporation.* The said corporation shall have the right—

(1) To sue in equity.

(2) To take and hold property, real and personal, for its use and benefit as a school.

(3) To have a seal and such corporate rights and powers as are necessary and proper to effect the end of its creation—the education of the blind.

2646. (1568). 2075. *Liabilities.* And it shall be subject to be sued in law or equity, and to all liabilities to which corporations are subject.

2647 (1569). 2076. *Power of board of trustees.* The board of trustees shall have power—

(1) To appoint and remove all the officers and teachers of said school.

(2) To prescribe the salaries of said officers and teachers.

(3) To make such by-laws and regulations as they may deem necessary and proper for the control and regulation of the school.

(4) To control and manage the household and domestic affairs, and all the departments of the institution; and, generally,

(5) To exercise such authority as is necessary and proper to conduct such an institution.

(6) (1579a) to adopt such measures in establishing a work department and in boarding the adult blind, as they deem the interests of the institution under their charge demand; but they shall not expend for any pupil more than the amount now annually appropriated for each pupil of said school. (1859-60, ch. 123, sec. 3).

2648. (1579b) 2077. *May employ and discharge, but not increase salaries.* The superintendent and a committee of two of the trustees of said school shall employ and discharge all persons connected with it, but shall not increase the salary of any person without the consent of the board of trustees. (Id., sec. 4).

2649. (1579) 2078. *Report to assembly.* The trustees shall, during the first week of each regular session of the general assembly, make a report to the same, setting forth a statement of all their official acts, and giving an account of the condition and progress of the institution, and making such suggestions in regard to its future management as they think will tend to promote and to increase its usefulness and efficiency as a scheme of benevolence.

2650. (1570) 2079. *Property of the state.* The lot and building and appurtenances of the said school are the property of the state of Tennessee, and the same are committed to the said trustees, to be employed by them as an asylum and school for the blind, who may be admitted to the same.

2651. (1571) 2080. *Education of pupils.* The pupils of said school shall be taught such branches of learning as they can acquire, and as are usually taught to young persons, and such trades and handicraft pursuits as the blind can learn and practice and (to) advantage.

2652. (1572) 2081. *Admission of free pupils.* Two free pupils shall be admitted into the school from each senatorial district, to be selected from amongst indigent persons that are unable to bear the expense of education, by the senator and representative, for the time being, of each district.

2653. 2082. *Deaf, dumb and blind.* Any deaf, dumb and blind child, whose parents are citizens of this state, may be placed in either of the Tennessee School for the Blind, or the Tennessee Deaf and Dumb School, free of charge. (1859-60, ch. 19, sec. 1, 1877, ch. 49, sec. 1).

2654. (1573) 2083. *Other pupils.* All other pupils shall be admitted by the board of trustees upon such terms as they may deem proper; but pupils that cannot pay shall have preference over those whose parents or families are able to provide for them.

2655. (1574) 2084. *Allowance for pupils.* The allowance for pauper pupils admitted into this institution shall be paid quarterly, upon the certificate of the principal of the school or the treasurer of the board of trustees. (1859-60, ch. 69, sec. 2; 1866-67, ch. 42).

2656. (1575) 2085. *Traveling expenses.* The traveling expenses of pupils in coming to the school, whose parents are poor and unable to pay, shall be paid by the trustees, but not for a shorter distance than one hundred miles; and the terms of admission for colored students given separate accommodations, shall be the same as prescribed for white students. (1843-44, ch. 195, sec. 3; 1881, ch. 109, sec. 3).

2657. (1576) 2086. *Pupils from abroad.* When there is room to accommodate them, without excluding pupils of this state, pupils from other states may be admitted by the trustees, if their annual expenses are advanced or placed under the control of the trustees.

2658. 2087. *Donations.* The trustees of any asylum or school heretofore incorporated in the state of Tennessee for the education of the blind, are hereby authorized to accept any grant, deed or conveyance of real estate, gift or appropriation of personal property which may be granted, deeded, conveyed, given or appropriated to them for the use and benefit of such institution, and the same shall be subject to them and their successors' control, jointly and in connection with any gift or allowance made to them by the state. (1871, ch. 121, sec. 1).

2659. 2086. *To be used free of charge.* Any and all property, real and personal, so granted, deeded, conveyed, given, donated or appropriated, shall be perpetually used and enjoyed by the blind of the state free of all charge, but upon such terms of admission, as to the number, age or sex, as the board may adopt, or the general assembly prescribe, from time to time. (Id., sec. 2).

TENNESSEE.

Senate Bill No. 848 (1915).

An act to provide for the care, maintenance and education of blind children of school age, who are not eligible to the state school for the blind for lack of training, where the parents of such child have not sufficient means to properly care for such child.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, that the state board of education shall have the power to provide for the suitable care, maintenance and instruction of blind children of school age, who are not eligible to the Tennessee School for the Blind for lack of training, and who need special kindergarten training to prepare them for admission in said school for the blind, residing in this state, who may be born blind or become blind, in any case where by reason of lack of means the parent or parents of such children are unable to properly care for, maintain and educate such children.

Sec. 2. Be it further enacted, that for the purpose of providing such care, maintenance and education, the said board of education shall have power to contract with any institution having of furnishing facilities for such care, maintenance and education in this or any other state at a contract price to be agreed upon, not exceeding one dollar (\$1.00) per day; providing that such contract shall continue in force and the care, maintenance and education provided therein shall continue until such child attains the age of 12 years, or becomes eligible for the state school for the blind, or until in the judgment of said board the said child will not be able to qualify for said state school; providing, that said state board may in its discretion continue such contract in force until such child attains the age of sixteen years.

Sec. 3. Be it further enacted, that there shall not be used in any one year for the enforcement of this act more than two thousand five hundred dollars, and that the same shall be paid by the comptroller of the treasury of the state of Tennessee upon the order of the state

board of education, through its president and secretary, and that said money shall be paid out of the general school fund of the state.

Sec. 4. Be it further enacted, that nothing in this act contained shall be deemed to repeal or in any way modify any existing law with reference to the education of the deaf, dumb and blind.

Sec. 5. Be it further enacted, that this act take effect from and after its passage, the public welfare requiring it.

Passed 4-3-15.

TENNESSEE.

1916.

A bill to be entitled, a bill to provide a register of the blind persons within the state; to provide a school or schools for training and employing blind persons; including temporary subsistence, and to provide for the sale of products of the training workshops; to provide for the appointment of officers and agents and for their compensation; to provide for the appointment of a commission and for their expenses, and to appropriate funds for the work of the commission and to regulate the disbursement thereof.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, that there is hereby established a state board to be known as the Tennessee Commission for the Blind, consisting of three persons to be appointed by the Governor, one of whom shall be appointed for two years, one for three years and one for four years. Subsequent members to be appointed for the full term of four years.

Sec. 2. Be it further enacted, that said commission shall prepare and maintain a register of the blind in Tennessee, which shall describe their condition, cause of blindness and capacity for education and industrial training.

Sec. 3. Be it further enacted, that said commission shall act as a bureau of information and industrial aid to aid the blind in finding employment and develop home industry.

Sec. 4. Be it further enacted, that said commission, with the consent of the Governor, shall establish one or more schools for industrial training and workshops, and shall equip the said school or schools and maintain the same, to pay employees suitable wages and to devise means for the sale of products.

Sec. 5. Be it further enacted, that said commission is hereby authorized to receive into these schools pupils from other states upon the payment of such fees as the board may determine.

Sec. 6. Be it further enacted, that said commission may temporarily provide board and lodging for workmen or pupils received at any industrial school or workshop established by it, and to devise means to facilitate the circulation of books and prompt visits among the aged or helpless blind in their homes, and by any other method that may seem to it expedient, provided it shall not take the permanent support of any blind person.

Sec. 7. Be it further enacted, that said commission, with the approval of the Governor, is hereby authorized and empowered to appoint and fix the compensation of such officers and agents as may be necessary, with a single proviso that no person employed by the board shall be a member thereof. Members of the board will not be allowed

any compensation for their services, but their traveling and other necessary expenses are to be paid.

Sec. 8. Be it further enacted, that the sum of ten thousand dollars (\$10,000) be and the same is hereby appropriated out of the funds of the state treasury, to carry out the purposes and objects of this act, said funds to be expended by the said commission created by this act; and all bills or accounts shall be allowed or paid only upon written order, signed by at least two of the members of said commission, directing the comptroller to draw his warrant on the treasurer of the state for the amount so approved and allowed.

Sec. 9. Be it further enacted, that this act shall take effect from and after its passage, the public welfare requiring it.

TEXAS.

1914.

Article 171. *Board of Trustees.* The general control, management and direction of the affairs, property and business of the blind asylum, the deaf and dumb asylum, the orphan asylum, the Confederate home, the deaf, dumb and blind asylum for colored youths, and the epileptic colony, shall be vested in a board of trustees for each, to be styled the board of trustees of said several asylums. The provisions of this chapter shall apply to each of said asylums, except where they conflict with special provisions relating to particular asylums.

Art. 172. *Organization of Boards.* The Governor shall appoint a board of trustees for each, consisting of five members each, who shall hold their office for two years, or until their successors are appointed and qualified; and, whenever a vacancy occurs in said board, it shall be filled by the Governor, and the term of office of the persons so appointed shall be for the unexpired term of the person whose place is made vacant. The appointment of said board shall be by and with the advice and consent of the senate.

Art. 173. *How constituted.* Each board of trustees shall choose one of its members as president; and the superintendent of the asylum to which it pertains shall be ex-officio the secretary of the board, and shall keep a true record of all its acts and proceedings. A majority of each board shall constitute a quorum for the transaction of any business.

Art. 174. *Meetings of the Boards.* The boards of trustees shall hold monthly meetings at their respective asylums, and at such other times as they may be called together by their president, or the by-laws of the institution may prescribe.

Art. 175. *Powers of the Boards.* The boards of trustees shall have power: 1. To examine and pass upon all accounts and expenditures of the superintendent and to approve or disapprove the same. (2) To make all contracts and necessary arrangements for the erection of any buildings, or the making of any improvements upon the grounds of the asylum.

Art. 176. *May make requisition for improvement.* All moneys appropriated by the legislature for the erection of buildings, or the making of improvements upon the grounds of an asylum, shall be subject to requisition by the board of trustees of such asylum, for the

amount actually necessary to pay for such building or improvements; but no money shall be paid except it be upon estimate of completed work, furnished by the contractor, and approved by the architect and board of trustees; provided, that in no case shall more than three-fourths of the actual cost of building and improvements be paid until the work is completed and accepted.

Art. 177. *Statement and Itemized Accounts.* In cases provided for in the preceding article, the board of trustees shall file with the comptroller a statement of the work done, together with an itemized account of the costs of the same, and thereafter the comptroller shall draw his warrant upon the treasurer, in favor of such board of trustees, for the amount specified.

Art. 178. *Duplicate receipts to be taken.* The board of trustees shall take receipts in duplicate for all moneys paid out under the two preceding articles, one of which shall be filed with the comptroller of public accounts.

Art. 179. *Reports of the Trustees.* On the first of January of each year the board of trustees shall report in writing to the legislature the general operations of their respective asylums for the past two years, and accompanying the same with such suggestions as they may deem important to the welfare of the institution.

Art. -80. *Compensation of trustees.* The members of the respective boards shall be paid five dollars each per day and mileage at the rate of three cents per mile, in going to and returning from their respective asylums, for their services in attending the monthly meetings provided for in article 174; provided, that no member shall draw pay for said monthly meetings unless he shall have actually attended said meeting; and provided further, that no member can draw pay under this article for more than one day's attendance upon said monthly meeting; and the certificate of the president of the board approved by the superintendent, shall be sufficient evidence upon which the comptroller can draw a warrant upon the treasurer of the state to pay the amount provided for in this article.

Art. 181. *Superintendent, appointment and term of office.* The board of trustees of said asylums, respectively, shall elect a superintendent of each of said asylums, who shall hold his office for the period of two years. Each of said superintendents shall have had special advantages and practical experience in the management of the persons committed to his charge by virtue of his appointment.

Art. 182. *Oath and bond.* The superintendent of each of said asylums shall within twenty days after notification of his appointment, enter into bond in the sum of ten thousand dollars, payable to the state, with two or more good and sufficient sureties to be approved by the Governor, conditioned for the faithful performance of all the duties of said office; and shall also take the oath prescribed by the constitution, which oath and bond shall be filed in the office of the secretary of state.

Art. 183. *Removal of superintendents.* The board of trustees of each of said asylums shall have the power to remove the superintendents for good cause only.

Art. 184. *Powers of superintendent.* The superintendent shall be the administrative head of the asylum for which he is appointed, and shall have power,

1. To establish such rules and regulations for the government of the institution as, in his judgment, will best promote the interest and welfare of all who may be placed in his charge.

2. Where not otherwise provided by law, to appoint the subordinate officers, the necessary number of teachers and all other employes, and, subject to the approval of the board of trustees, to fix their salaries.

3. To remove at his discretion any officer, teacher or employe who does not discharge his duty, or whose conduct may be such as to endanger the morals of the pupils or the best interests of the asylum.

Art. 185. *Same subject.* The superintendent shall also have the care and custody of the buildings, grounds, furniture and other property pertaining to the asylum and shall act as general financier and purchasing agent of the asylum for all supplies not furnished by contract in accordance with the provisions of chapter 1 of title 125.

Art. 186. *Reports of receipts and expenditures.* At each regular meeting of the board of trustees, the superintendent shall present an itemized account of all receipts and expenditures by him on account of the asylum, which account shall be verified by his own affidavit; and for any other expenses than the expenses provided for in chapter one of title 125, the comptroller shall not draw his warrant upon the treasurer unless the account upon which such warrant is drawn is certified as correct and just by the superintendent and is approved by the president of the board of trustees.

Art. 187. *Reports of superintendent.* On the first days of January and July of each year the superintendent of each asylum shall report to the Governor, under oath, a full statement of all moneys and choses in action received by him and disbursed or otherwise disposed of; and on the first day of November of each year he shall make his annual report to the Governor, showing in detail the operations of the institutions for the year, accompanied with such suggestions and recommendations as he may deem important to the well being of the institution over which he presides.

11. *Particular Provisions. Blind Asylum.*

Art. 188. *Appointment of oculist and qualifications.* The board of trustees and the superintendent shall appoint an oculist for the blind asylum, who shall be skilled in his profession and a married man, and who shall attend regularly at the asylum and administer treatment to all cases of blindness among its pupils deemed curable.

Art. 189. *Removal of oculist.* The oculist shall hold his office for the period of two years, and the board of managers and the superintendent may remove him for good causes only.

TEXAS.

1915.

Be it enacted by the Legislature of the State of Texas:

Section 1. That a new building site shall be acquired as a site of the Texas School for the Blind, consisting of not less than forty acres of land, and modern and commodious buildings shall be erected thereon,

as nearly fireproof as possible, with such other improvements and equipment as may be necessary for a first-class school for the blind, and the name of this new institution shall hereafter be known as the "Texas School for the Blind" (this is in addition to the present blind institute). Before the purchase of said land it shall be the duty of the attorney general to examine and pass upon the title to same.

Sec. 2. That the board of trustees of the blind asylum shall become and be known as the "Board of Trustees of the Texas School for the Blind," and as such shall continue to act for the unexpired parts of their respective terms for which they are appointed, and whenever any duty, power or function is by law, or may hereafter be by law placed upon the board of trustees of said blind asylum, the same shall be construed to be placed upon and shall be executed by the board of trustees of the Texas School for the Blind.

Sec. 3. The governor, the lieutenant governor and the attorney general of Texas shall constitute a board whose duty it shall be to carry out the provisions of this act, of which board the Governor shall be chairman and the superintendent of the Texas School for the Blind shall be secretary of said board.

Sec. 4. The board provided for herein shall take the title to any real estate acquired under this act to "The Board of Trustees of the Texas School for the Blind" and their successors, as trustees for the use and benefit of the State of Texas.

Sec. 5. That for the purpose of carrying out the provisions of this act there shall be appropriated out of the general revenues of the state not otherwise appropriated the sum of two hundred and twenty-five thousand dollars (\$225,000) for use during the fiscal year ending August 31, 1916, and the sum of seventy-five thousand dollars (\$75,000) for use during the fiscal year ending August 31, 1917.

Sec. 6. The terrible danger from fire, the insufficient accommodations now at the building for the blind children of the state, and the crowded condition of the calendar creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be and the same is hereby suspended and this bill shall become a law from and after its passage.

Approved June 3, 1915.

UTAH.

Compulsory Education.

1907.

Every parent, guardian or other person having control of any blind child between the ages of 8 and 18 years, who on account of its defective sight is unable to be educated in the public schools, must send such child to the state school for the blind for at least six months of each school year. The parent or other person is excused from this duty if it can be shown to the satisfaction of the board of trustees of the school that the child is taught at home by a competent teacher in the same branches and for the same length of time as children are in the state school, or that such child has already acquired the branches of learning taught in the state school, or that the child is in such physical

condition or mental condition as to render attendance inexpedient or impracticable. The failure to comply with this provision, after the proper person has been notified of its requirements, constitutes a misdemeanor.

The county school superintendents must include in their annual school census the list of persons between the ages of 5 and 30 years who are too blind to obtain an education in the public schools, their names and addresses, and the names of their parents.

UTAH.

1913.

Sec. 10. *Institutions for deaf, dumb and blind.* Institutions for the deaf and dumb, and for the blind, are hereby established. All property belonging to the school for the deaf and dumb, heretofore connected with the University of Utah, shall be transferred to said institution for the deaf and dumb. All the proceeds of the lands granted by the United States for the support of a deaf and dumb asylum and for an institution for the blind, shall be a perpetual fund for the maintenance of said institutions. It shall be a trust fund, the principal of which shall remain inviolate, guaranteed by the state against loss by diversion.

UTAH.

(Abstract taken from the last United States Census.)

School for the Blind.

1907.

The government and control of the Utah School for the Blind is vested in a board of trustees consisting of the attorney general and five resident citizens of the state, not more than three of whom may be members of the same political party, appointed by the Governor with the consent of the senate. The citizen members of the board serve for six years and receive no compensation other than actual expenses.

The purpose of the school is to provide a practical education for the blind of the state who are of sound mind and body, under 30 years of age, capable of receiving beneficial instruction, and incapacitated, on account of blindness or inability to see, for instruction in the common schools; to instruct such pupils in those mechanical trades and arts that tend to enable them to become self-supporting and useful citizens; and to provide a circulating library for the blind of the state. All blind residents of the state under 30 years of age are entitled to the benefits of the school free of charge. In all cases where an applicant or an inmate of the school is too poor to pay for necessary clothing and transportation expenses, the county commissioners of his residence, after ascertaining that such facts are true, must pay the expenses. Pupils from other states may be received and instructed on such terms as the board may prescribe.

Commission for the Adult Blind.

1910.

The Utah commission for the adult blind consists of five members; the Governor is president of the board and the other four members are appointed by the Governor with the consent of the senate. The mem-

bers serve for terms of four years and receive no compensation other than actual expenses. The duties and powers of the commission are to prepare and maintain a descriptive register of the adult blind of the state; to establish, equip and maintain within the state one or more workshops for the industrial training and employment of the adult blind; to maintain a bureau of information, the object of which is to assist in the finding of employment and in the development of home industries for the adult blind; to furnish materials and tools to them either in their homes or in the workshops maintained by the board, and to assist them in marketing their handiwork and products. It ameliorates their condition by promoting visits among the aged or helpless adult blind in their homes and by such other methods as it thinks expedient. The commission may provide for temporary lodging and support of blind persons engaged in any workshop, but must not undertake their permanent support or maintenance. Adult blind persons from other states may be admitted in the workshops upon payment of such fees as the commission may prescribe.

VERMONT.

From Public Acts, State of Vermont, 1910.

No. 74.

Sec. 1. The sum of fifty thousand dollars, payable five thousand dollars October 1, 1911, five thousand dollars October 1, 1912, ten thousand dollars October 1, 1913, ten thousand dollars October 1, 1914, ten thousand dollars October 1, 1915, and ten thousand dollars October 1, 1916, is hereby appropriated for the Austine Institution, a corporation organized and existing under and by virtue of No. 276 of the Acts of 1904, as amended by No. 319 of the Acts of 1908, for the purpose of erecting a suitable building or plant for the use of said corporation, upon land owned by it in Brattleboro, Vermont, subject to the conditions provided in the following sections; and the auditor of accounts is hereby directed to draw an order for that amount in favor of said Austine Institution.

Sec. 6. Public Statutes section 1169 is hereby amended so as to read as follows:

Sec. 1169. The blind at the New England Institute for the instruction of the blind at Boston, Mass.

No. 77.

Sec. 1. Any deaf or blind child who is within the age of legal pupils, as defined by section 1027 of the Public Statutes as amended by section 1 of No. 69 of the Acts of 1910, and who is designated by the Governor to any institution for the education of the deaf and blind in this state, under the provisions of chapter 60 of the Public Statutes and amendments thereto, shall attend such designated school during its regular sessions for a period for which such child is designated unless such child is mentally or physically unable to so attend or has already acquired knowledge of the branches required to be taught in the public schools or is otherwise being furnished with the same education, provided that said child shall not be required to attend more than forty weeks in any school year.

Sec. 2. A parent or guardian who neglects or refuses to permit a child to receive instruction, as specified in section 1 of this act, shall be fined not more than twenty-five dollars, nor less than five dollars, which shall be paid to the town where said parent or guardian resides. Justices and municipal courts shall have concurrent jurisdiction with the county court of offenses arising under this act, and all the provisions of chapter 49 of the Public Statutes, relating to complaint and prosecution, shall apply to this act.

Approved March 18, 1915.

No. 69. *An Act in Amendment of the Laws Relating to School Attendance and Child Employment.*

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. Section 1027 of the Public Statutes is hereby amended so as to read as follows:

Sec. 1027. The words "legal pupils" shall include persons between the ages of five and eighteen years, but no person over five years of age shall be deprived of public school advantages on account of age. No child under five years of age shall be received into a public school except in a kindergarten; and no child under seven years of age shall be received into a public school except a kindergarten after the beginning of the fall term, unless said child has the written permission of the town or union superintendent.

VERMONT.

NO. 276—AN ACT TO INCORPORATE "THE AUSTINE SANITARIUM."

Sec.	Sec.
1. Incorporators.	5. Books of account.
2. Powers, disposition of income.	6. First meeting.
3. By-laws.	7. Exemption for taxation.
4. Trustees.	8. Subject to future legislation.

Section 1. It is hereby enacted by the General Assembly of the State of Vermont, that George F. Gale, M. D., A. I. Miller, M. D., George R. Anderson, M. D., Charles A. Miles, George C. Averill and William H. Vinton, first selectmen of the town of Brattleboro. and their successors appointed as hereinafter directed, be and they hereby are, incorporated and made a body politic and corporate by the name of "The Austine Sanitarium," with all the powers and privileges incident to such corporations, and by that name may sue and be sued, plead and be impleaded, appear, prosecute and defend in all suits and actions, and shall have and use a common seal to be by them devised, altered and renewed, at their pleasure.

Sec. 2. It is hereby further enacted that the said corporation may take and receive, hold, purchase and possess, of and from all persons disposed to aid the benevolent purposes of said institution, any grants and devise of lands and tenements, in fee simple or otherwise, and any donations and bequests, and subscriptions of money or other property, to be used and improved for the erection, support and maintenance of a sanitarium as aforesaid, provided the net income of said corporation from its real and personal estate does not exceed the

sum of twenty thousand dollars per annum. All profit, interest and income which may come to this corporation either in the way of operation of the said sanitarium or from any fund, endowment or other source, shall be used for the purpose of this corporation and no dividend, endowment or profit shall be received by or paid to any member of this corporation, except that any director or officer thereof may receive reasonable compensation for service actually performed.

Sec. 3. It is hereby further enacted, that said corporation may from time to time make and establish such by-laws and regulations for the internal government and economy of said sanitarium as they may think proper, not repugnant to the constitution and laws of this, or the United States; and may at any meeting thereof, duly warned, choose all necessary and convenient officers, who shall have such power and authority and be elected in such manner and for such period of time as the said corporation by their by-laws shall limit and direct.

Sec. 4. It is hereby further enacted that the said George F. Gale, M. D., A. I. Miller, M. D., George R. Anderson, M. D., Charles A. Miles, George C. Averill and W H Vinton, the first selectmen of the town of Brattleboro, and their successors, not exceeding at any time six in number, shall be a board of trustees, and shall have sole superintendence, management and control of said sanitarium, and in case of the decease, resignation or removal of one or more of said trustees, the survivors shall from time to time, fill all such vacancies.

Sec. 5. It is hereby further enacted that after the organization of said corporation, the said trustees shall keep, or cause to be kept, just and true books of account of all the transactions of said corporation, and shall therein enter all the funds, donations, receipts and expenditures thereof. And in the event that patients are received in said sanitarium sent there by the state of Vermont, or towns in said state and there supported at the expense of such state or towns, then and in that event said books shall at all times be open for the inspection of the board of visitors, nominated or appointed by or at the direction of the State of Vermont; and if patients are so received from the state or towns and supported at the expense of the state or towns, then said trustees shall make an annual report to the general assembly of the amount of funds of said sanitarium, the receipts and expenditures thereof, the number of patients admitted and discharged, the number cured, the state of others discharged or remaining, and such other information as may be necessary to show the effects and operations of said sanitarium.

Sec. 6. It is hereby further enacted that the said George F. Gale and upon his neglect and other members of said corporation, may call the first meeting thereof by giving notice of the time and place of holding the same, in some one of the newspapers printed in the county of Windham, at least six days previous to said meeting, and all other meetings of said corporation shall be warned and holden in the manner provided by the by-laws thereof.

Sec. 7. It is hereby further enacted, that the estate, both real and personal, and all other of the funds of said institution shall at all times hereafter be exempt from all taxes.

Sec. 8. It is hereby further enacted that any further legislature shall have power to modify, alter and amend this act, so far as to provide for the more perfect and effectual accomplishment of the objects of this act.

Approved December 8, 1904.

NO. 319. AN ACT TO AMEND NO. 276 OF THE ACTS OF 1904, ENTITLED "AN ACT TO INCORPORATE THE AUSTINE SANITARIUM."

It is hereby enacted by the General Assembly of the State of Vermont:

Section 1. The name of the corporation "The Austine Sanitarium," chartered by No. 276 of the acts of 1904, may be changed to any other name, not in use by any other corporation in the state, at any time, by the unanimous action of the board of trustees. In case of such change of name, a certificate thereof, signed by all the members of the board of trustees shall be filed with the secretary of state, and upon the filing thereof the name shall be changed according to such certificate.

Sec. 2. Said corporation, by its board of trustees, may, in addition to or in lieu of the authority vested in it by No. 276 of the acts of 1904, establish, maintain and carry on, under the provisions of said act, an institution or establishment for the care, education and training of unfortunate or defective persons; and all provisions of No. 276 of the acts of 1904 shall be construed as amended hereby so far as the same are inconsistent with this act.

Sec. 3. This act shall take effect from its passage.

Approved November 20, 1908.

APPROPRIATIONS TO AUSTINE INSTITUTION FOR A BUILDING, 1910-1916.

No. 74—*An Act Providing for the Care and Education of Defective Children.*

It is hereby enacted by the General Assembly of the State of Vermont:

Section 1. The sum of fifty thousand dollars payable, five thousand dollars October 1, 1911, five thousand dollars October 1, 1912, ten thousand dollars October 1, 1913, ten thousand dollars October 1, 1914, ten thousand dollars October 1, 1915, and ten thousand dollars October 1, 1916, is hereby appropriated to the Austine Institution, a corporation organized and existing under and by virtue of No. 276 of the acts of 1904, as amended by No. 319 of the acts of 1908, for the purpose of erecting a suitable building or plant for the use of said corporation, upon the land owned by it in Brattleboro, Vermont, subject to the conditions provided in the following sections; and the auditor of accounts is hereby directed to draw an order for that amount in favor of said Austine Institution.

Sec. 2. The appropriation specified in the preceding section is made upon condition that said Austine Institution shall bind itself by a contract to the satisfaction of the Governor, that it will at all times receive, take, instruct and care for, at actual cost, all such deaf and

dumb children as the Governor may designate under chapter 169 of the Public Statutes, to be received by said corporation.

Sec. 3. Said Austine Institution shall be subject to visitation and inspection by the board of visitors to state institutions, provided for by section 6017 of the Public Statutes; and said board shall include in its biennial report a statement of the names and ages of such children as may be received by said institution under the provisions of the second preceding section, and it shall report fully as to the condition and progress of such children, with such recommendations in regard to the management of the institution as it may deem proper.

Sec. 4. The income of the fund of fifty thousand dollars held by said corporation shall be devoted exclusively by the trustees thereof in the manner and for the purposes set forth in a decree of the court of chancery for the county of Windham, in the matter of the will of William Austine, rendered at the April term, 1910, of said court of chancery.

Sec. 5. The appropriation provided for in section one is made upon condition that the amount thereof shall be used exclusively for the purposes stated in this act, and if said institution shall cease to exist, the real and personal estate of said corporation shall be held as security to the state for the amount so appropriated and may be sold under direction of the legislature for the purpose of reimbursing the state for the amount herein appropriated; and the said real estate of said corporation shall at no time be sold by the trustees thereof without consent of the legislature.

Sec. 6. Public Statutes section 1169 is hereby amended so as to read as follows:

Section 1169. *Institutions for instruction.* The beneficiaries specified in this chapter shall be instructed in the following institutions: The deaf and dumb at the American Asylum for the education of the Deaf and Dumb at Hartford, Conn., the Clerk for the Deaf at Northampton, Mass., the Mystic Oral School at Mystic, Conn., or the Austine Institution at Brattleboro, Vermont; the blind at the New England Institute for the Instruction of the Blind at Boston, Mass., and the idiotic or feeble-minded children at the Massachusetts School for the Idiotic and Feeble-Minded Youth at Boston, or at such other institutions of like nature as the Governor may select.

Sec. 7. This act shall take effect from its passage.

Approved January 27, 1911.

No. 275. *An Act to Provide for the Completion and Equipment of the Austine Institution.*

It is hereby enacted by the General Assembly of the State of Vermont:

Section 1. The sum of twenty-five thousand dollars, ten thousand dollars payable July 1st, 1913; five thousand dollars payable July 1st, 1914; five thousand dollars payable July 1st, 1915, and five thousand dollars payable July 1st, 1916, is hereby appropriated for the purpose of paying the balance of the expense of completing and equipping the building of the Austine Institution, in excess of the appropriation made in 1910:

Sec. 2. The auditor of accounts shall draw orders in favor of the

trustees of said institution from time to time, to the total amount provided in section 1 of this act, for the purposes therein specified.

Approved January 28, 1913.

VERMONT.

1915.

From the Public Statutes of Vermont.

Chapter 60.

Sec. 1166. *Governor to be Commissioner.* The Governor shall be, by virtue of his office, commissioner of the deaf, dumb, blind, idiotic, feeble-minded or epileptic children of indigent parents, and, as such commissioner, shall constitute the board for their instruction. 1883, No. 21, No. 2. 1825, No. 31, No. 2.

Sec. 1168. A sum not exceeding twenty thousand dollars is annually appropriated for the benefit of the deaf, dumb, blind, idiotic, feeble-minded or epileptic children of indigent parents to be used agreeably to the provisions of this chapter.

Sec. 1169. (Only such part as relates to the blind). The beneficiaries specified in this chapter shall be instructed in the following institutions: The blind at the New England Institute for the instruction for the blind at Boston, Mass.

Sec. 1170. The board of civil authority in a town shall ascertain and certify to the county clerk, on or before the first day of February, annually, the number of deaf and dumb persons and the number of blind and epileptic persons in such town, their ages, conditions and circumstances, and the ability of their parents to educate them, the names of all idiotic or feeble-minded children between the ages of five and fourteen years residing in such town and the pecuniary ability and circumstances of their parents or the persons bound to support them, and whether, in the opinion of said board, the persons named are proper subjects for the charity of the state, and whether they and their parents or guardians are willing that they should become beneficiaries of any of the institutions provided for the instruction of such persons.

Sec. 1172. The Governor may designate beneficiaries, may direct the auditor of accounts to draw orders for any part of the appropriation provided for in this chapter, may superintend and direct all concerns relating to the education of the deaf, dumb, blind, idiotic, feeble-minded or epileptic children, inhabitants of the state, and may allow all or any portion of the expense of their conveyance to and support in the institutions in which they are instructed, for such time as he deems proper; and he may, in his discretion, take bonds to indemnify the state against expenses which accrue in consequence of the sickness, clothing or transportation of a beneficiary.

Sec. 1173. The selectmen of the several towns may execute in their official capacity in behalf of their respective towns, without a previous vote, the bond which may be required to be given by the town to indemnify the state against expenses which may accrue in consequence of the sickness, clothing or transportation of the deaf, dumb, idiotic, feeble-minded or epileptic beneficiaries from such town.

Sec. 1174. When a person is designated a beneficiary, the town in which he resides shall defray the expenses of his conveyance to and

from the institution in which he is to be instructed, if, in the opinion of the selectmen, his parents or guardian is not able to pay the same.

Sec. 1175. The Governor may designate one or more blind or deaf and dumb beneficiaries, under the provisions of this chapter, who may receive his education within this state, when, in the judgment of the Governor, adequate advantages exist for proper instruction and the public good will be subserved thereby, notwithstanding such beneficiary is over fourteen years of age.

VIRGINIA.

(Abstract taken from the last United States Census.)

Schools for the Blind.

1904.

The government of the Virginia School for the Deaf and Blind is vested in a board of visitors, consisting of six members appointed by the Governor with the consent of the senate for terms of four years, and the superintendent of public instruction. In the institution there is one school for the education of deaf mutes and another school, separate and distinct, for the education of the blind. The pupils of the school are selected, as the board may prescribe, among such persons as are unable to pay for maintenance and support to the extent of the means of the institution, and from other persons, residents of the state, on such terms for their maintenance and support as may be agreed upon;¹ but in no case is there a charge for the education of the pupils.

The Virginia State School for Colored Deaf and Blind Children is under the government of a board of five visitors appointed by the Governor for terms of four years. Any blind child of the colored race whose parents or guardians are residents of the state and who can not be educated in the public schools may be admitted to the school without charge for his education. (Supplement 1910).

Census of the Blind.

1904.

The clerk of each district school board must at the time of taking the school census also take a separate census of the blind persons between the ages of 7 and 20 years residing within the school district, giving the sex, age and residence of each, and return the copy to the district superintendent. The superintendent must consolidate the returns of the county and transmit them to the superintendent of the school for the deaf and blind.

¹According to the superintendent of the Virginia School for the Deaf and the Blind, no charge whatever is made for any of its pupils.

WASHINGTON.

(Abstract taken from the last United States Census.)

School for the Blind.

1913.

The general management and control of the State School for the Blind is vested in the state board of control.

All blind residents of the state between the ages of 6 and 21 years who are free from loathsome and contagious diseases are admitted into the school free. Blind children from other states may be admitted

into the school upon payment in advance of a sufficient amount to cover the cost of their maintenance and education.

Compulsory Education.

1910.

Every parent or guardian having custody of blind children of the prescribed age must send them to the state school for the blind. Upon satisfactory proof and evidence to the county school superintendent that such children are being properly educated at home or in some other suitable institution, the parent may be excused from this duty. If it appears to the satisfaction of the superintendent that the parent is unable to bear the traveling expenses, the county commissioner must pay such expenses. Any person failing to comply with this provision is guilty of a misdemeanor.

The clerks of the school districts must include in their annual report the names of all the blind persons in their district between the ages of 6 and 21 years. This report is transmitted to the county commissioners, state board of control and the superintendent of the state school for the blind.

WEST VIRGINIA.

(Taken from the last United States Census.)

School for the Blind

1913.

The general management and control of the West Virginia School for the Deaf and Blind is vested in the State Board of Control. The board visits the school at least once in every six months, and one member must visit the school once a month. The control of the educational affairs of the school is vested in the state board of regents; this board makes rules and regulations for the management of educational matters, prescribing the course of study to be pursued in the school. The course of instruction must be as extensive in the intellectual, musical and mechanical departments as the capacities and interests of the pupils may require.

All blind residents of the state of sound mind and who are not afflicted with any contagious disease, between the ages of 8 and 25 years, may be admitted to the school on application to the principal. Applicants are admitted in the order of their applications, and the principal must in each case keep a record of the name, dates of admission and discharge, age, address, names of parents or guardians, and degree and cause of the blindness. The pupils may continue in the school for five years, and as much longer as in the discretion of the state board of control and the principal their condition and progress would seem to justify. All such blind persons are admitted without charge for board and tuition, and if the pupil is not provided with clothing while at the school the principal furnishes the clothing of a value not to exceed \$40 and collects the same from the pupil's county of residence.

After all the applicants of the prescribed age have been admitted other blind persons of suitable age to receive any advantage from the school, if there are accommodations, may be admitted to the school upon terms prescribed by the board; but such persons must withdraw

from the school in the order of their admission to make room for new applicants between the ages prescribed. The board provides for accommodations for all other pupils upon such terms of payment as it may prescribe.

The state assessors must register the names of the blind persons in their respective districts, the degrees and cause of blindness, age, names of parents or guardians, address and such other facts as may be useful in making the school efficient in ameliorating the condition of the blind. The assessors' reports are sent to the auditor, who in turn sends them to the principal of the school, who must immediately value not to exceed \$40 and collects the same from the pupil's county admission into the school.

WISCONSIN.

1909.

Education of Blind Children

(Chapter 199, laws of 1909, amending Chapter 551, laws of 1907, creating Section 579 and referring to and including certain sections in Chapter 128, laws of 1907.)

Section 579o. Sections 578, 579a, 579m and 579n of the Statutes, and all acts amendatory thereof, shall, so far as applicable, provide for an application to schools for the blind, except that there shall be paid out of the state treasury annually in the month of July to the treasurer of the school district board, or of the board of education in any city or village maintaining a school or schools for the blind under the charge of one or more teachers, whose qualifications shall be approved by the state superintendent, the sum of two hundred dollars for each blind pupil instructed in such school or schools at least nine months during the year next preceding the first day of July, and a share of such sum proportionate to the term of instruction of any such pupil who shall be so instructed less than nine months during such year; the said sum of two hundred dollars to include instruction in music and manual training, and to cover necessary expenses for material and printing in connection with the work of any such school or schools; and the state superintendent of public instruction may authorize and instruct the inspector of day schools for the deaf, acting under his direction, to inspect day schools for the blind without additional compensation.

Provides for the establishment of public schools for the blind. It appears that these schools may, like the day schools for the deaf, be located in communities where there are enough pupils to justify the organization of such a school. The sections above referred to will be found in the provisions of Chapter 128, printed in this pamphlet. These schools are presumed to be maintained and inspected in the same way that the day schools for the deaf are maintained, inspected and directed.

Pension Law

(In operation since 1907.)

Sec. 572-L. *Twenty-five Dollars Quarterly Aid for Certain Blind.* Any male person over the age of 21 years, and any female person over the age of 18 years, who is declared to be blind in the manner here-

inafter set forth, and who is not an inmate of any charitable, reformatory or penal institution in this state, and who is not receiving aid from the state or any county or city, and who has an income of less than \$250 per annum, and who has been a bona fide resident of this state for ten years and of the county in which such application is made for at least three years next preceding the making of the application hereinafter set forth, may, in the discretion of the county board, receive from the county in which such person or persons are resident, a benefit of one hundred dollars per annum, payable quarterly.

Sec. 572-J. *Examiner of Blind—Records and Fees.* The county board may appoint a regular practicing physician, whose official title shall be "Examiner of the Blind," and whose duty it shall be to examine all applicants for benefit and to endorse on the application a certificate showing whether such person is blind or not, and file the application so endorsed in the office of the county clerk. Such examiner shall keep a register in which he shall enter the name and address of each applicant so examined. Such examiner shall be paid by the county for his services the sum of two dollars for each applicant so examined.

Sec. 572-K. *Affidavits of Facts Entitling.* Any person claiming a benefit as provided herein shall make an affidavit before the county clerk of the county in which he resides of the facts which bring him within the provisions of this act, which affidavit shall be deemed an application for said benefit. Such application shall be accompanied by an affidavit of two freeholders residing in the county, that they are personally acquainted with such applicant and know that he has been a bona fide resident of this state for ten years and of said county for three years immediately preceding the filing of such application.

Sec. 572-L. *Filing of Application.* The county clerk shall, upon receiving such application, file the same with the examiner of the blind.

Sec. 572-M. *County Clerk to Register and Certify.* The county clerk shall register the name and address of each applicant and the date of the examination, and on or before the first day of November of each year he shall certify to the county board of the county the name and address of each applicant who has been found blind by the examiner of the blind.

Sec. 572-N. *County Tax for Blind Relief.* The county board of any county in which such application has been made, may, in its discretion, annually levy a tax upon the taxable property in the county sufficient to pay said benefits to the persons entitled to the same, and who have complied with the provisions of this act.

Sec. 572-O. *False Affidavit Perjury.* Any person who shall make a false affidavit in order to secure the benefit herein provided, shall, upon conviction, be deemed guilty of perjury.

WISCONSIN.

(Abstract taken from the last United States Census.)

School for the Blind.

1915.

The general supervision and government of the State School for the Blind is vested in the state board of control, whose duty it is to inspect the school at least once a month. The object of the school for

the blind is to afford the blind enlightened and practical education, which may aid them to obtain the means of subsistence, discharge the duties of citizens, and secure all the happiness which they are capable of attaining. All blind residents of the state who are of suitable age and capacity to receive instruction are received and taught, and enjoy all the benefits and privileges of pupils free of charge. Blind persons placed in the institution by any municipality of the state, but not entitled to free tuition, enjoy all the benefits and privileges at a cost not exceeding \$100 per scholar for the academic year of 40 weeks, to be paid by such corporation. The school pays for necessary expenses of indigent scholars in going to and from the school. No pupil from without the state may be received to the exclusion of any pupil resident within the state. A library is maintained at the school that is available to all blind citizens of the state.

Instruction and Care for Blind Artisans.

1915.

The state, through the management and supervision of the state board of control, maintains an institution at Milwaukee in which any blind citizen of the state having learned a trade may pursue his vocation on his own account and receive the whole of the proceeds of his labor. The board provides a means of instruction for any adult blind resident of the state who desires to avail himself of the privileges and benefits of the institution. It may furnish artisans at the institution with a limited amount of tools and materials sufficient to meet the requirements of their employment. An allowance of \$75 is made to any indigent blind artisan who is a resident of the state but not a resident of Milwaukee, and the state pays for his expenses in traveling to and from the institution.

The assessors of the state when making their annual assessment must at every tenth year enter upon blanks furnished for this purpose the names of all blind persons in their respective districts, their age, color, occupation and place of birth, whether such persons are educated or not, the names of their parents, the number of children of such parents, what blood relation, if any, existed between the parents, the number of blind children of such parents, and return the same to the county clerk. The county clerk transmits this report to the Secretary of State, who compiles and tabulates such returns for his biennial report.

Compulsory Education.

1915.

Any parent or guardian having under his control a blind child between the ages of 6 and 16 years who is incapacitated for attending a common school, must send such child to some public, private, parochial, or state school for the instruction of the blind, for at least eight months a year. This requirement does not apply to children who are shown by a reputable physician not to be in proper physical or mental condition to attend school. A penalty is provided for failure to comply with this requirement.

Whenever it appears by affidavit to any county or municipal judge that any blind child of proper age is deprived of a suitable education

through the neglect or refusal of its parents or guardian, the judge may, in his discretion, if the facts are admitted or established to be true, order such child to be sent to the school for the blind or to some private institution for the instruction and education of the blind. Each superintendent of the city and county schools must send to the superintendent of the school for the blind the names and addresses of the blind persons known to be in his city or county and the persons having charge of them; and the number of blind persons being educated and not educated: and the number of personal visits made during the year to the custodians of the blind children, to induce them to give such children a proper education.

The Blind in Poorhouses.

1915.

It is the duty of the state board of control to investigate as to the number and condition of blind persons supported in the poorhouses of the state.

WYOMING.

(Abstract taken from the last United States Census.)

Education of the Blind.

1910.

The State Board of Charities and Reform is composed of the Governor, the secretary of state, the state treasurer, the state auditor and the state superintendent of public instruction. The board has general supervision of the blind, deaf and dumb institute when it is open, and until the opening of the institute the board provides for the support and education of the blind, deaf and dumb persons residents in the state in some asylum for the education of the blind, deaf and dumb. In selecting the asylum the board must select the one that offers the best advantages for the education of such pupils, due regard being had to economy in the cost of supporting and maintaining pupils at the asylum. All necessary clothing, transportation and other expenses that are incurred in placing pupils in such an asylum must be paid out of the funds appropriated for the blind, deaf and dumb, but when the board is satisfied that the parents or guardians of such children are financially able to bear such expenses they must in all cases do so.

When there are 12 pupils ready that will enter the school the blind, deaf and dumb institute opens, but when the number of pupils falls below eight the institute must close. Every blind, deaf or dumb person who is a resident of the state of suitable age and capacity is entitled to receive an education at the expense of the state, and persons not residents of the state of suitable age and capacity are entitled to an education in the institute upon payment of \$300 per year in advance to the state treasurer.

When the pupils of the institute are not otherwise supplied with clothing they must be furnished with it by the principal. The cost of clothing so supplied is a charge against the county from which the pupils come to the institute, but the county may collect the account from the parent or guardian or from the pupil himself unless it appears by the affidavit of three disinterested citizens of the county, not akin to the pupil, that the pupil or his parents would be unreasonably oppressed by a suit to recover the cost of the clothing.

UNITED STATES.

Forty-fifth Congress. Sess. III.

March 3, 1879. Chap. 186.

An Act to promote the education of the blind.

Whereas, the trustees, superintendents and teachers of the various state and public institutions for the instruction of the blind, representing the interests of over thirty thousand blind persons in the United States, have united in a petition to Congress to take into consideration the needs of the blind in the United States; and

Whereas, the Association of the American Instructors of the Blind, at their session in Philadelphia in August, eighteen hundred and seventy-six, representing twenty-six state and public institutions for the instruction of the blind, have set forth in a series of resolutions that the especial needs of the blind are embossed books and tangible apparatus, and have recommended that if any aid should be given by Congress it would most efficiently come through increasing the means of the American Printing House for the Blind, located in Louisville, Kentucky; and

Whereas, it appears that the Kentucky Legislature, in eighteen hundred and fifty-eight, by an act of special legislation, declared James Guthrie, W. F. Bullock, Theodore S. Bell, Bryce M. Patten, John Milton, H. T. Curd and A. O. Brannin, and their successors, a body corporate under the name and style of the Trustees of the American Printing House for the Blind, with the avowed purpose of printing books and making apparatus for the instruction of the blind of the United States, for general distribution, and for the sake of philanthropy, and with no desire for pecuniary gain; and

Whereas, the states of Louisiana, Mississippi, Tennessee, Kentucky, New Jersey and Delaware have made appropriations for the aid of said American Printing House for the Blind, of which, on account of the outbreak of the civil war, only a small part of the money appropriated by the first three named states was ever available; and

Whereas, by the money from the states of Kentucky, New Jersey and Delaware, a printing house for the blind was established, and is now supplied with presses, type, stereotype foundry, steam-engine, a well equipped bindery, and all the appliances necessary for the manufacture of embossed books, and has for the last ten years been manufacturing embossed books superior in every way to any manufactured elsewhere, which have been distributed gratuitously to the blind in the states of Kentucky, New Jersey and Delaware, by which the blind in those states have been very much benefited; and

Whereas, it is desirable that the blind of the whole country should be equally benefited, and the intentions of the trustees to establish an educational institution of the most practical beneficence and wisest philanthropy upon a national basis should be accomplished, inasmuch as the education of the blind is a subject of national importance; Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That the sum of two hundred and fifty thousand dollars, out of money in the United States treasury not otherwise appropriated, be, and hereby is, set apart as a

perpetual fund for the purpose of aiding the education of the blind in the United States of America, through the American Printing House for the Blind.

Sec. 2. That the secretary of the Treasury of the United States is hereby directed to hold said sum in trust for the purpose aforesaid; and it shall be his duty, upon the passage of this act, to invest said sum in United States interest-bearing bonds, bearing interest at four per centum, of the issue of July, eighteen hundred and seventy, and upon their maturity to reinvest their proceeds in other United States interest-bearing bonds, and so on forever.

Sec. 3. That the secretary of the Treasury of the United States is hereby authorized to pay over, semi-annually, to the trustees of the American Printing House for the Blind, located in Louisville, Kentucky, and chartered in eighteen hundred and fifty-eight by the legislature of Kentucky, upon the requisition of their president, countersigned by their treasurer, the semi-annual interest upon said bonds, upon the following conditions:

First: The income upon the bonds thus held in trust for the education of the blind shall be expended by the trustees of the American Printing House each year in manufacturing and furnishing embossed books for the blind and tangible apparatus so manufactured and furnished by this income shall each year be distributed among all the public institutions for the education of the blind in the states and territories of the United States and the District of Columbia, upon the requisition of the superintendent of each, duly certified by its board of trustees. The basis of such distribution shall be the total number of pupils in all the public institutions for the education of the blind, to be authenticated in such manner and as often as the trustees of the said American Printing House shall require; and each institution shall receive, in books and apparatus, that portion of the total income of said bonds held by the secretary of the Treasury of the United States in trust for the education of the blind, as is shown by the ratio between the number of pupils in that institution for the education of the blind and the total number of pupils in all the public institutions for the education of the blind, which ratio shall be computed upon the first Monday in January of each year.

Second: No part of the income from said bonds shall be expended in the erection or leasing of buildings.

Third: No profit shall be put on any books or tangible apparatus for the instruction of the blind manufactured or furnished by the trustees of said American Printing House for the Blind, located in Louisville, Kentucky; and the price put upon each article so manufactured or furnished shall only be its actual cost.

Fourth: The secretary of the Treasury of the United States shall have the authority to withhold the income arising from said bonds thus set apart for the education of the blind of the United States whenever he shall receive satisfactory proof that the trustees of said American Printing House for the Blind, located in Louisville, Kentucky, are not using the income from these bonds for the benefit of the blind, in the public institutions for the education of the blind in the United States.

Fifth: Before any money be paid to the treasurer of the American Printing House for the Blind by the secretary of the Treasury of the United States, the treasurer of the American Printing House for the Blind shall execute a bond, with two approved sureties, to the amount of twenty thousand dollars, conditioned that the interest so received shall be expended according to this law and all amendments thereto, which shall be held by the secretary of the Treasury of the United States, and shall be renewed every two years.

Sixth. The superintendent of the various public institutions for the education of the blind in the United States shall each, ex-officio, be a member of the board of trustees of the American Printing House for the Blind, located in the city of Louisville, Kentucky.

Sec. 4. That the trustees of said American Printing House for the Blind shall annually make to the secretary of the Treasury of the United States a report of the items of their expenditure of the income of said bonds during the year preceding their report, and shall annually furnish him with a voucher from each public institution for the education of the blind, showing that the amount of books and tangible apparatus due has been received.

Sec. 5. That this act shall take effect from and after its passage.

Approved March 3, 1879.

United States Statutes at Large, v. 20, p. 467-69.

UNITED STATES.

Fifty-ninth Congress, Sess. I.

June 25, 1906. (H. R. 16290). Public, No. 288.

Chap. 3536. An Act to modify the requirements of the Act entitled "An Act to promote the education of the blind," approved March third, eighteen hundred and seventy-nine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the sum of two hundred and fifty thousand dollars heretofore invested in United States registered four per centum bonds, funded loan of nineteen hundred and seven, inscribed, "Secretary of the Treasury, trustee,—interest, to the Treasurer of the United States for credit of appropriation 'to promote the education of the blind,'" shall upon the maturity and redemption of said bonds on the first day of July, nineteen hundred and seven, in lieu of reinvestment in other government bonds, be set apart and credited on the books of the Treasury Department as a perpetual trust fund; and the sum of ten thousand dollars, being equivalent to four per centum on the principal of said trust fund, be, and the same is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, and such appropriation shall be deemed a permanent annual appropriation and shall be expended in the manner and for the purpose authorized by the Act approved March third, eighteen hundred and seventy-nine, entitled "An Act to promote the education of the blind," approved March third, eighteen hundred and seventy-nine.

Approved June 25, 1906.

U. S. Statutes at Large, v. 34, p 460.

UNITED STATES.

Federal Legislation Concerning the Blind.

Act of February 16, 1857. (11 Stat. 161-162). Incorporation of Columbia Institution for the Instruction of the Deaf and Dumb and the Blind; education of indigent children of the District of Columbia.

Act of May 29, 1858 (11 Stat. 293-294). Additional provision for the Columbia Institution; education of blind children of persons in military and naval service.

Act of February 23, 1865 (1 Stat. 436; R. S. 3689, 4869). Columbia Institution not to give instruction to blind children; those formerly entitled to be educated there to be sent to some blind school in Maryland or elsewhere, at the expense of the United States.

Act of July 13, 1866 (14 Stat. 147, 10). Articles manufactured in institutions for the blind, sold to aid in their support, exempted from internal revenue tax.

Act of March 2, 1867 (14 Stat. 475, 10). Limitation of exemption under act of July 13, 1866.

Act of March 3, 1879 (20 Stat. 467-469). Permanent appropriation of \$250,000 invested in United States bonds, for the education of the blind, through the American Printing House, under supervision of the Secretary of the Treasury.

Act of October 1, 1890 (26 Stat. 604, par. 513). Free entry of books and music in raised print, used exclusively for the blind.

Act of August 27, 1894 (28 Stat. 538, par. 411). Same as act of October 1, 1890.

Act of July 24, 1897 (30 Stat. 196, par. 502). Same as act of October 1, 1890.

Act of March 2, 1899 (30 Stat. 984). Letters written in point print or raised characters used by the blind when unsealed to be classed as third-class mail matter.

Act of February 1, 1900 (1 Stat. 4, 1). Statistics of the blind to be included in Twelfth Census.

Act of June 6, 1900 (31 Stat. 577). Appropriation of \$5,000 for instruction and employment of blind persons residing in the District of Columbia, and for machinery and tools for workshop for the blind.

Act of April 27, 1904 (33 Stat. 313). Books, etc., in raised characters for use of the blind loaned by public institutions to blind readers to be carried in the mails free of postage.

Act of March 3, 1905 (33 Stat. 974, par. 390). Free entry in Philippine Islands of books and music in raised print, used exclusively by the blind.

Act of June 25, 1906 (34 Stat. 460). Amount of \$250,000 invested in bonds under act of March 3, 1879, set apart as perpetual trust fund, and in lieu of the interest on these bonds, a permanent annual appropriation of \$10,000 made for the same purpose.

Act of May 26, 1908 (35 Stat. 295). Repeal of permanent appropriation for instruction of indigent blind children of District of Columbia. (See Act of February 2, 1865); appropriation of \$6,000 for this purpose. A similar appropriation is included in all subsequent District of Columbia appropriation acts, the amount for the year 1917-18 being \$7,500. (Pub. Act No. 379, p. 27).

Act of March 4, 1909 (35 Stat. 1079, 15; 1083, 31). Copyrighted books in raised characters for use of the blind need not be printed in United States.

Act of July 2, 1909 (36 Stat. 4, 8). Statistics of the blind to be included in Thirteenth Census.

Act of August 5, 1909 (36 Stat. 74, par. 518). Same as October 1, 1890.

Act of August 5, 1909 (36 Stat. 169, par. 326). Same as act of March 3, 1905.

Act of June 20, 1910 (36 Stat. 562, 7; 573, 25). Grants of land to New Mexico and Arizona for schools and asylums for the deaf, dumb and blind.

Act of August 24, 1912 (37 Stat. 551). Periodicals in raised characters for the use of the blind to be carried in the mails free of postage.

Act of March 4, 1913 (37 Stat. 748). One copy of every embossed book manufactured by the American Printing House for the Blind to be deposited in Library of Congress.

Act of October 3, 1913 (38 Stat. 155, par. 426). Free entry of books and music in raised print, used exclusively for the blind; also printing apparatus, etc.

Act of September 1, 1916 (39 Stat. 710). Appropriation of \$5,000 for aid and support of National Library for the Blind; also \$1,500 for Columbia Polytechnic Institute for the Blind.

The annual legislative, executive and judicial appropriation acts, beginning with that of April 17, 1900 (31 Stat. 94) contain an appropriation for the reading room for the blind in the Library of Congress.

Pension Laws.

Act of July 4, 1864 (13 Stat. 387, 5). Pension of \$5 a month for loss of both eyes in military service.

Act of June 6, 1866 (14 Stat. 56, 1). Pension of \$25 a month for loss of sight of both eyes in military or naval service.

Act of July 27, 1868 (15 Stat. 237, 12). An act of June 6, 1866, made applicable to persons having lost only one eye and losing it in military or naval service.

Act of March 3, 1873 (17 Stat. 568-569; R. S. 4697, 4698). Pension of \$25 or \$31.25 a month for loss of sight of both eyes in military or naval service or of one eye when that of the other was previously lost.

Act of June 17, 1878 (20 Stat. 144). Pension of \$72 a month for loss of sight of both eyes in military or naval service.

Act of March 3, 1879 (20 Stat. 484). Act of June 17, 1878 made applicable to all cases of blindness from causes occurring in military or naval service.

Act of April 8, 1904 (33 Stat. 163). Pension of \$100 a month for loss of both eyes or total blindness from causes occurring in military or naval service.

W. H. McCLENON, March 13, 1917.

RESUME

As has been seen there is not great similarity as to the methods the different States pursue in looking after their blind population.

For purposes of convenience, an effort will be made to somewhat schedualize them, as has been done with the laws, in the previous papers of this series.

Those States requiring the Compulsory Education of the blind, are California, Connecticut, Delaware, Indiana, Kansas, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New York, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Utah, Vermont, Washington and Wisconsin. All the States provide some form of education for the blind.

Those States having regular schools for the blind are as follows: Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Hampshire, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Alabama, Colorado, Florida, Georgia, Idaho, Arkansas, California, Illinois, Indiana and Iowa.

The following States have industrial homes for the blind, where they are taught trades, industries, etc. These schools usually superintend the selling of the work of the blind. Many of them have stores of their own: Alabama, California, Connecticut, Illinois, Utah, Wisconsin, New Hampshire, New York, Ohio, Maine, Maryland, Massachusetts, Michigan, and Missouri. Some of these States have no institution of the kind in their own State, but pay for instruction in other States.

Some states pay for industrial or other instruction at home. They are Massachusetts, Minnesota, Nebraska, Rhode Island, Utah, Illinois, and Indiana.

The following States pay for school instruction for the young in other States: Massachusetts, New York, North Dakota, Pennsylvania, Rhode Island, Nevada, Wyoming, New Jersey, and New Mexico.

The following States provide readers to read to the blind at their homes: New Jersey, New York, Ohio, Kansas, Minnesota, Missouri, California, and Indiana.

The following States provide a free University instruction for those blind people desiring a higher education: New Jersey, South Carolina, Minnesota and Nebraska.

The following States pay pensions to the blind: Idaho, Illinois, Iowa, Kansas, Maine, Maryland, Missouri, Wisconsin, New Hampshire and New York.

The following States pay for clothing and funerals for the blind:

New Jersey, New York, North Carolina, Rhode Island, South Dakota, Wyoming, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, Arkansas, California, Colorado, Connecticut, Florida, Illinois and Indiana.

The following States provide tools for blind workmen: Maryland, Minnesota, Mississippi, Missouri, Nebraska, Utah, Wisconsin, New Hampshire, New Jersey and Connecticut.

There are State Commissioners for the blind or the equivalent in New Jersey, New York, Ohio, Oregon, New Mexico, Tennessee, Utah, Maryland, Massachusetts, Missouri, Delaware and Illinois, (State Board of Charities and Corrections).

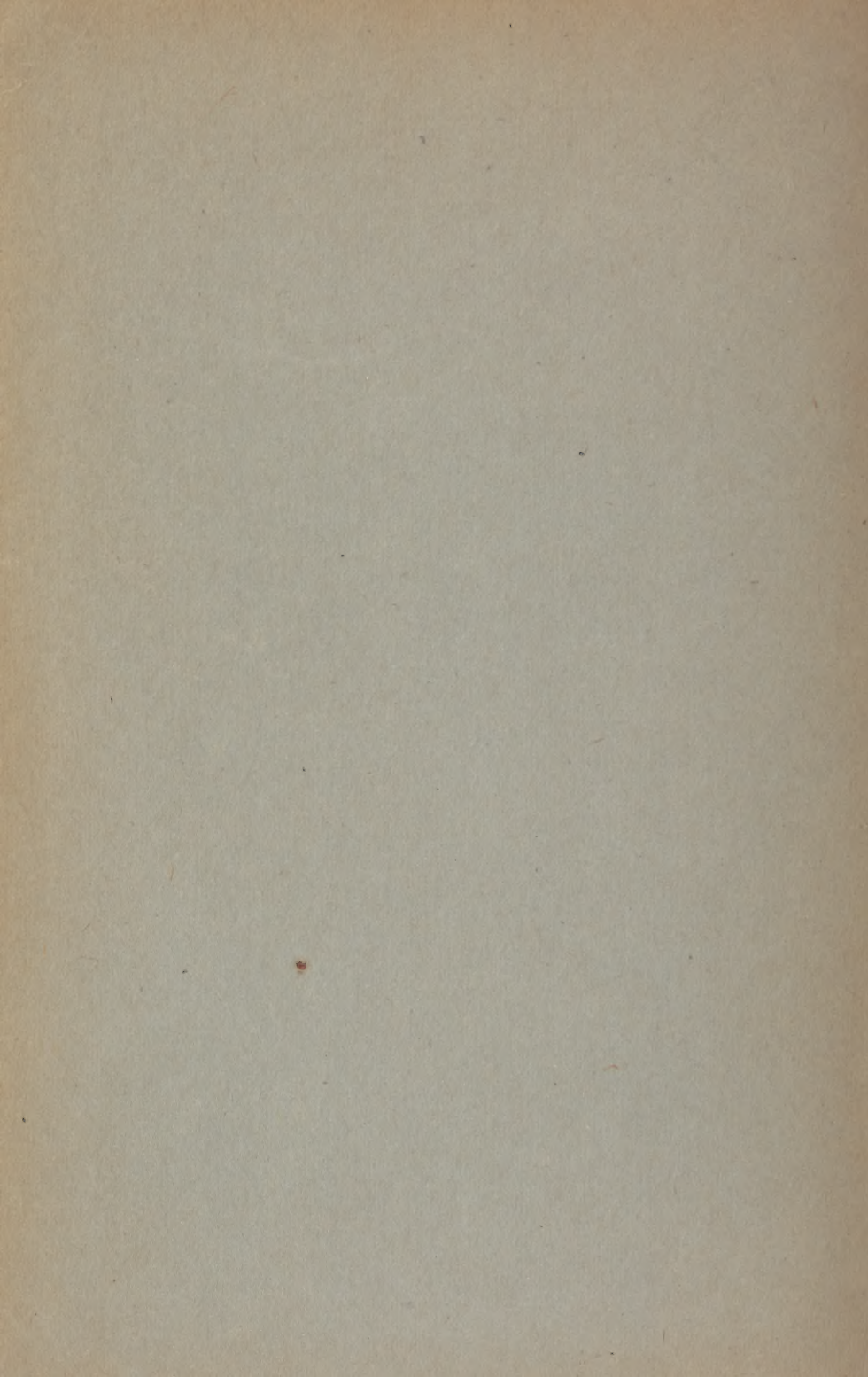
In certain States the blind are exempt from certain things, such as in Arkansas the blind war veterans do not have to pay licenses. In Connecticut, the blind are partially exempt from taxes, and are exempt from tramp laws. In Maine, the blind pay no poll tax, and are exempt from tramp laws. In Tennessee, they pay no poll tax. In New Hampshire, Pennsylvania and Rhode Island they are exempt from tramp laws and in New York, they are exempt from certain license taxes.

In concluding this series of papers on State Laws Concerning the Eye, I wish to thank all who have helped me in the compilation. It has been a great task, more than would be imagined, as it is extremely difficult to get accurate information. I hope the material may be of use. Errors have inevitably occurred as, for instance, after having received a printed Optometry Law, from Pennsylvania, which I was informed from a trustworthy source had become a law, I was informed that the proposed law failed to pass. I am also informed by the "Keystone Magazine of Optometry" that the only States not having Optometry laws at the present time are Alabama, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Pennsylvania and Texas. In my compilation I stated that Pennsylvania had a law, and that South Carolina, Wyoming and the District of Columbia had none. Of course, laws are constantly being passed in some States, and it is possible that between the time of writing my papers, and the time of their publication, changes may have occurred. In this way, and in other ways, errors have undoubtedly taken place, but I have done the best I could, and I believe that these compilations are reasonably correct.

I wish especially to thank Dr. H. V. Würdemann for his courtesy in opening the pages of Ophthalmology for this series of articles.

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